



IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.6712 OF 2024

Suresh Basavraj Khatkale

.....Petitioner

Vs.

The State of Maharashtra

.....Respondent

Mr. Ashok M. Saraogi, for the Petitioner.

Mr. Ashok S. Gawai, APP, for the Respondent-State.

CORAM : REVATI MOHITE DERE &

DR. NEELA GOKHALE, JJ.

DATE : 8th JANUARY 2025

P.C.:-

1. By this Petition, the Petitioner essentially seeks a direction to the Respondent-authority to hear and decide the Petitioner's Appeal, bearing Appeal No.211 of 2024 filed by the Petitioner under Section 60 of the Maharashtra Police Act, 1951 alongwith the Interim Application filed on 16th December 2024. The said Appeal was filed by the Petitioner in the second week of December 2024.

2. The grievance of the learned counsel for the Petitioner is that till date, neither the Petitioner's Appeal nor the Interim Application seeking stay of the impugned order, has been decided. He states that Respondent-authority be directed to atleast decide the

Interim Application seeking stay of the impugned order if not the appeal to enable the Petitioner to thereafter take appropriate steps before the appropriate Forum/Court.

3. Learned APP states that there are several Appeals pending before the Appellate Authority and that it will take some time to hear and decide the Petitioner's Appeal and/or Interim Application.

4. Pendency of Appeals cannot be a ground not to hear atleast the Interim Application filed by the Petitioner, if not the Appeal.

5. Considering the aforesaid, we deem it appropriate to direct the concerned Authority to either decide the Petitioner's Interim Application seeking stay to the impugned order or the Appeal, as the authority may so deem fit. The same to be decided, as expeditiously as possible and in any event within three weeks from the date of receipt of this order.

6. The Petition is allowed and disposed of in aforesaid terms.

7. All parties to act on an authenticated copy of this order.

(DR. NEELA GOKHALE, J.)

(REVATI MOHITE DERE, J.)