



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 2642 OF 2025

Amit Dattatray Revdkar	...Petitioner
Versus	
Tehsildar & Executive Magistrate & Ors.	...Respondents

Mr. Atharva Dandekar i/b Hitendra Parab & K. Shaikh for Petitioner.

Mr. Kishor Bhatia for Respondent No.2.

Mrs. P. P. Shinde, Addl. G.P. for State – Respondent No.3.

CORAM: G. S. KULKARNI &
ADVAIT M. SETHNA, JJ.

DATE: 05 MAY 2025

P.C.

1. This petition under Article 226 of the Constitution of India has assailed the impugned communication dated 23 November 2024 issued by the Office of the Judicial Magistrate, First Class, 30th Court, Kurla on non-compliance of the order passed by the learned Judicial Magistrate 30th Court, Kurla Mumbai dated 26 August 2022, whereby considering the provisions of Section 143-A of the Negotiable Instruments Act, 1981, the petitioner/accused was directed to pay/deposit 20% the amounts in the Court to be paid to the complainant as interim compensation within 60 days from the date of the said order. Such order has not been complied, though almost about more than two years have been passed.

2. It is in these circumstances, the impugned notice has been issued to attach the petitioner's plot of land described in the impugned notice.
3. We heard learned counsel for the parties in the morning session and the proceedings, were passed over, to enable learned advocate for the petitioner to take instructions in regard to the deposit of the said amounts, as a condition, that no further steps be taken to sell the property, subject matter of the impugned communication.
4. Mr. Dandekar, learned counsel for the petitioner, on instructions, has submitted that Rs.2,00,000/- will be deposited by Friday (i.e. on 9 May 2025) and the balance amount of Rs.8,00,000/- would be deposited within a period of two months. He submits that such period would be required, as the petitioner is in financial distress.
5. Be that as it may, as the petitioner has intended to show his *bona fides* at this stage of the proceedings, we direct that it would be appropriate and in the interest of justice that the following order is passed:

ORDER

- (i) Petitioner to deposit an amount of Rs.2,00,000/- before the Court of learned Judicial Magistrate, First Class, 30th Court, Kurla in the proceedings of C. C. No. 3183/MISC/2023 (Anil Lalchand Shah Vs. Amit Dattatray Revdekar).

(ii) The petitioner is also permitted to deposit the balance amount of Rs.8,00,000/- within two months from today, as per order dated 26 August 2022.

6. In the event such deposit is made, the property in question as described in the schedule of the impugned notice shall not be put to an auction. However, the attachment on the said property may continue. Ordered accordingly.

7. Accordingly, list the present proceeding on **7 July 2025 (HOB)**.

(ADVAIT M. SETHNA, J.)

(G. S. KULKARNI, J.)