

Shabnoor

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

INTERIM APPLICATION NO.3213 OF 2025

Embassy Energy Pvt. Ltd.	... Applicant
V/s.	
The State of Maharashtra	... Respondent

**WITH
INTERIM APPLICATION NO.3215 OF 2025
IN
REVISION APPLICATION NO.346 OF 2025**

Jitendra Virwani	... Applicant
V/s.	
The State of Maharashtra	... Respondent

**WITH
INTERIM APPLICATION NO.3214 OF 2025
IN
REVISION APPLICATION NO.347 OF 2025**

Karan Jitendra Virwani	... Applicant
V/s.	
The State of Maharashtra	... Respondent

Mr. Ankul Bharat Seth for the applicant in all matters.

Mr. Sagar R. Agarkar, APP for the State – respondent in all matters.

Mr. Amit Desai a/w Mr. Pradeep Mane a/w Ms. Sakshi Sharma a/w Ms. Abha Gokhale i/b Desai & Diwanji, for the Intervener in CRA/347/25 & 345/25.

Mr. Pranav Badheka, Sr. Advocate a/w Mr. Pradeep Mane & Ms. Sakshi Sharma & Ms. Abha Gokhale, for the Intervener in IA/3215/25.

Ms. Anita Warade, PI, EOW, Mumbai is present.

CORAM : AMIT BORKAR, J.

DATED : SEPTEMBER 10, 2025

P.C.:

1. On perusal of the memo of the revision application, it appears that the applicant has challenged the noting made by the Judicial Clerk, which indicates the position of the case and reflects factual circumstances, including the factual statement that accused Nos. 4 to 6 have not been arrested.
2. No judicial order has been passed by the Magistrate in this matter.
3. On perusal of the noting made by the Judicial Clerk, it is evident that such a noting cannot be elevated to the status of a judicial order. Therefore, the Single Judge does not have the authority to entertain the trial or decide the revision application challenging the administrative noting made by the Judicial Clerk. Hence, the revision application to be placed before the appropriate Court.
4. This position is further supported by the judgment of the Supreme Court in *State of Rajasthan vs. Prakash Chand & Ors.*, 1998 (1) SCC 1, where the Supreme Court held that a judge derives power by virtue of the distribution of assignments by the Chief Justice, and any order passed beyond the work assigned by the Chief Justice amounts to an order without jurisdiction (coram non iudice).

5. Hence, list the applications before the appropriate bench having the assignment to entertain challenges to the administrative noting made by the Judicial Clerk.

(AMIT BORKAR, J.)