



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

CRIMINAL WRIT PETITION NO. 394 OF 2025

Dhyan Foundation Garada Gaushala Vs. The State of Maharashtra and another

WITH

CRIMINAL WRIT PETITION NO. 395 OF 2025

Dhyan Foundation Garada Gaushala Vs. The State of Maharashtra and another

WITH

CRIMINAL WRIT PETITION NO. 396 OF 2025

Dhyan Foundation Garada Gaushala Vs. The State of Maharashtra and another

AND

CRIMINAL WRIT PETITION NO. 397 OF 2025

Dhyan Foundation Garada Gaushala Vs. The State of Maharashtra and another

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri Raju Gupta, Advocate for petitioner in all petitions.
Shri M. J. Khan, APP for respondent no. 1/State (In WP No. 394/25).
Shri N. R. Rode, APP for respondent no. 1/State (In WP No. 395/25).
Shri A. G. Mate, APP for respondent no. 1/State (In WP No. 396/25).
Ms. P. T. Joshi, APP for respondent no. 1/State (In WP No. 397/25).

CORAM :- M. W. CHANDWANI, J.

DATED :- 06.05.2025

Heard.

2. The contention is that respondent no. 2 has been intimated regarding listing of the matter today for urgent relief before this Court. The affidavit of service in this regard is tendered across the bar and it is taken on record and marked as 'X' for identification. Nobody appears on behalf of respondent no. 2.

3. The further contention is that the offence under the provisions of the Prevention of Cruelty to Animals Act, 1960 has been registered against Rameshwar Karu Sidam and others and the cattle have been seized from respondent no. 2 in each of the petition, who are claiming to be the owner of the cattle seized under the crime and temporary custody was handed over to the petitioner. The learned Magistrate by the impugned order dated 16.04.2025 allowed the application filed by respondent no. 2 for interim custody of the cattle.

4. It is submitted that the petitioner is a voluntary organization engaged in welfare and prevention of cruelty to the animals and interest of cattle. It is submitted that without hearing the petitioner, the learned Magistrate directed to handover the custody of the cattle to respondent no. 2.

5. Issue notice to the respondents, returnable on 10.06.2025.

6. Shri M. J. Khan, learned APP waives service for respondent no. 1/State in WP No. 394/25, Shri N. R. Rode, learned APP waives service for respondent no. 1/State in WP No. 395/25, Shri A. G. Mate, learned APP waives notice for respondent no. 1/State in WP No. 396/25 and Ms. P. T. Joshi, learned APP waives notice for respondent no. 1/State in WP No. 397/25.

7. It is contended that in view of the impugned order, the Police is visiting the petitioner for handing over custody of the cattle to respondent no. 2. It is further contended that the petitioner will not charge any maintenance amount, if the order is stayed and the cattle remain with the petitioner till disposal of the petition.

8. Considering the submission, the effect and operation of the impugned order dated 16.04.2025 is stayed till the next date of hearing.

9. All the above petitions be listed together and tagged with Criminal Writ Petition Nos. 342/2025, 343/2025 344/2025, 345/2025 and be listed on 10.06.2025.

(M. W. CHANDWANI, J.)