

ITEM NO.13

COURT NO.6

SECTION II-A

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (CrI.) No(s). 3754/2021

(Arising out of impugned final judgment and order dated 26-04-2021 in ABA No. 310/2021 passed by the High Court Of Judicature At Bombay At Aurangabad)

ANIL CHABILDAS CHAUDHARI

Petitioner(s)

VERSUS

THE STATE OF MAHARASHTRA

Respondent(s)

(IA No. 62088/2021 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 62090/2021 - EXEMPTION FROM FILING O.T.AND IA No. 63749/2021 - INTERVENTION APPLICATION)

Date : 10-01-2023 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DINESH MAHESHWARI
HON'BLE MR. JUSTICE HRISHIKESH ROY

For Petitioner(s) Mr. Shivaji M. Jadhav, AOR
Mr. Girish Wani, Adv.
Mr. Brij Kishor Sah, Adv.
Ms. Apurva, Adv.
Mr. Aditya S. Jadhav, Adv.
Ms. Shivani Rautela, Adv.
Mr. Adarsh Kumar Pandey, Adv.

For Respondent(s)

Mr. Aniruddha Joshi, Adv.
Mr. Siddharth Dharmadhikari, Adv.
Mr. Aaditya Aniruddha Pande, AOR
Mr. Bharat Bagla, Adv.
Ms. Kirti Dadheech, Adv.

Mr. Sudhanshu S. Choudhari, AOR
Mr. Mahesh P. Shinde, Adv.
Ms. Rucha A. Pande, Adv.
Mr. M. Veera Ragavan, Adv.

UPON hearing the counsel the Court made the following
O R D E R

Learned counsel appearing for the State

prays for and is granted time to complete all his instructions as regards the process of investigation in this matter.

It is also noticed that the civil suit bearing No.24 of 2020, ultimately, came to be decided by the Trial Court on 08.08.2022 and the suit was decreed granting the relief of specific performance in favour of the plaintiff (complainant herein). An appeal against the judgment and decree of the Trial Court is said to be pending in the Court of the District Judge, Bhusawal/First Appellate Court, being Regular Civil Appeal No.42 of 2022.

We would expect the First Appellate Court to proceed expeditiously with the said appeal looking to the facts and circumstances of the present case. At the same time, we also deem it appropriate to observe that though the Trial Court, in clause (7) of the operative part of its decree, has provided that the defendant (i.e., the present petitioner) may withdraw the amount of Rs.60,70,000/- (Rupees Sixty Lakhs and Seventy thousand) deposited by him pursuant to the directions of this Court in this petition, the said part of the decree shall not be

given effect to. In other words, the said amount of Rs.60,70,000/- shall continue to remain in deposit with the Trial Court until further orders of this Court.

List this matter after four weeks.

(NEETU KHAJURIA)
ASTT. REGISTRAR-cum-PS

(RANJANA SHAILEY)
COURT MASTER