

**IN THE SUPREME COURT OF INDIA
CRIMINAL ORIGINAL JURISDICTION**

**I.A. No _____ OF 2021
IN**

TRANSFER PETITION (Cr1.) NO. 333-348 OF 2021

IN THE MATTER OF:

KETAN KANTILAL SETH

...PETITIONER

VERSUS

STATE OF GUJARAT & Ors

...RESPONDENTS

SH. OMPRAKASH BHAURAOJI KAMDI ...APPLICANT/INTERVENOR

**APPLICATION ON BEHALF OF INTERVENOR FOR
MODIFICATION/RECALL OF ORDER DATED 05.10.2021**

[PAPER-BOOK]
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ADVOCATE FOR INTERVENOR: MR. ABHINAY

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**APPLICATION ON BEHALF OF INTERVENOR FOR
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To,

The Hon'ble Chief Justice of India
And His Companion Judges of the
Supreme Court of India

The Humble Application
of the Applicant abovenamed

MOST RESPECTFULLY SHOWETH:

1. That the present Application is being filed by the Intervenor/Applicant, i.e. Sh. Omprakash Bhauraoji Kamdi (hereinafter referred as '**Applicant**') for seeking modification/recall of order dated 05.10.2021 passed by this Hon'ble Court in the instant petition. That this Hon'ble Court vide order dated 05.10.2021 had stayed the proceeding going before the Ld. Trial Court in R.C.C. No. 147/2002, the order dated 05.10.2021 is reiterated herein for ready reference of this Hon'ble Court:

"I.A. No. 124997 is an application filed by the petitioner seeking directions.

Considering the order passed by the Trial Court on 24.09.2021 in R.C.C. No. 147/2002, further proceedings in the said case shall remain stayed till the next date of hearing.

The I.A. stands disposed of accordingly"

[Emphasis Supplied]

2. That the instant transfer petition was filed by the Petitioner under Section 406 of CrPC, 1973 seeking transfer of 19 cases, from different states to the Competent Court of Additional

Chief Judicial Magistrate, Esplanade, Mumbai, where the Petitioner resides.

3. It is submitted that the order dated 05.10.2021 passed by this Hon'ble Court in the present matter has the effect of completely nullifying the various orders passed by the Hon'ble Bombay High Court in multiple proceedings relating to the same Criminal Case, which have now attained finality. Further, the Petitioner, at who's instance the said orders were passed by the Hon'ble Bombay High Court, was not made a party and accordingly, was not heard at the time the order dated 05.10.2021 came to be passed by this Hon'ble Court.
4. Before proceeding further, it is pertinent to state the brief facts leading to filing of the instant application by the Applicant:
 - a. That the Applicant is an agriculturist and a permanent resident of Nagpur District who is by and large dependent on the financial aid provided by one of the leading cooperative banks in Nagpur, the Nagpur District

Central Cooperative Bank Limited (hereinafter referred as NDCCB) for the conduct of his day to day agriculture activities. It is submitted that the aforesaid bank was formed with the basic objective of providing financial assistance to the poor agriculturists, small businessman and cooperative societies related with agriculture activities.

- b. That after coming into limelight the scam done by the officials of the said bank i.e. NDCCB, the Applicant had filed Public Interest Litigation bearing number PIL No. 25 of 2014 (hereinafter referred as '**PIL**'), before the Hon'ble High Court of Bombay *inter alia* seeking directions against several banks for recovery of public money to the tune of approximately Rs. 150 crore from Respondent No. 5 and 6 therein, who are co-accused of the Petitioner herein and seeking expeditious disposal of trial in R.C.C. No. 147/2002 pending before Ld. 2nd Addl. Chief

Magistrate, Nagpur, against the Petitioner and his co-accused, which is pending since year 2002;

- c. The Hon'ble High Court of Bombay while allowing the PIL filed by the Applicant passed an order dated 23.12.2014, directing the enquiry officer to conclude the enquiry within period of six months. Further, the Hon'ble High Court also directed the Ld. Judicial Magistrate, First Class, Nagpur to expedite the trial and conclude the same within period of one year. The relevant paragraph of the order dated 23.12.2014 passed by the Hon'ble High Court of Bombay in PIL 25 of 2014 is reiterated herein for ready reference of this Hon'ble Court:

"We, therefore, direct the Enquiry Officer, who is said to be a lawyer, to conclude the enquiry within a period of six months from today.

It is further directed that the contesting parties shall cooperate with the enquiry. If in concluding the enquiry expeditiously any party indulges in delaying tactics, the Enquiry Officer would be at liberty to draw such inference as is permissible in law

...

In that view of the matter, we also directed the learned Judicial Magistrate, First Class, Court No.1, Nagpur to expedite the trial and conclude the same

as expeditiously as possible and in any case, within a period of one year from today”

[Emphasis Supplied]

The said order dated 23.12.2014 passed by the Hon’ble High Court of Bombay in PIL 25 of 2014 is marked and annexed herewith as **Annexure A1**;

- d. Thereafter, in the year 2019, after there being no substantial progress in the trial of Petitioner herein and his Co-Accused, the Applicant filed a Civil Application bearing number Civil Application No. 1701 of 2019 in the abovementioned PIL seeking revival of the PIL and seeking direction for expeditious disposal of the pending trials against the Petitioner herein;
- e. Accordingly vide its Order dated 06.03.2019 passed in the said PIL, a Division Bench of the Hon’ble Bombay High Court further granted a time period of three (months) from 06.03.2019 to the Chief Judicial Magistrate, Nagpur to conclude the trial. The relevant

extract from the Order dated 6.03.2019 is reproduced hereinbelow:

“We from the report conclude that learned Magistrate failed to appreciate the order passed by Division Bench as against the order passed by learned Single Judge of the Principal Seat and in that reference, mechanically adjourned the proceedings holding that same are stayed by the orders of High Court. The facts mentioned in the report thus clearly establish that inspite of expediting trial as aforesaid, same is pending without sufficient reason. The learned Chief Judicial Magistrate in fact, in this report, has undertaken to decide the case within a period of two months from the date of further order, if any issued by this Court. Considering the fact that there is no stay to the proceedings and as learned Chief Judicial Magistrate has shown his readiness to complete trial within two months, we accept his undertaking and direct that steps be taken by the Court of learned Chief Judicial Magistrate for deciding Regular Criminal Case No. 147/2002 pending on his file. Inspite of two months, we grant him one more month and grant period of three months for completion of trial.”

True Copy of the Order dated 06.03.2019 passed by the Hon’ble Bombay High Court, Nagpur Bench is annexed herewith and marked as **Annexure A2**;

- f. In view of the same, the Hon’ble High Court of Bombay passed an order dated 04.10.2019 while stating that the

strict steps are necessary to be taken in the pending trial as the case involves serious offences like those punishable under Sections 406, 409, 468, 471, read with section 120-B and Section 34 of the Indian Penal Code, 1860 involving a scam of Rs. 150 crores, perpetrated way back in the year 2002. The relevant paragraph of the said order dated 04.10.2019 passed by the Hon'ble High Court of Bombay is reproduced below for reference of this Hon'ble Court:

“These steps are necessary because the criminal case, which is pending, involves serious offences like those punishable under Sections 406, 409, 468, 471, read with section 120-B and Section 34 of the Indian Penal Code involving a scam of 150 crores of rupees, perpetrated way back in the year 2002 and today in the year 2019, the trial has not moved even an inch. It stands almost at same stage at which it stood in the year 2002. Definitely, the justice administration system owes an explanation to the society for such inordinate delay, especially when public money to the tune of Rs. 150 crores and interests of unsuspecting victims, largely poor agriculturists and depositors are at stake.”

[Emphasis Supplied]

The said order dated 04.10.2019 passed by Hon'ble High Court of Bombay in Civil Application No. 1701 of 2019 filed by the Applicant herein is marked and annexed herewith as **Annexure A3**;

g. Accordingly, after passing of the order dated 04.10.2019 by the Hon'ble High Court of Bombay, the pending trial against the Petitioner and his co-accused herein was conducted expeditiously wherein evidence were led by prosecution as well as the Defense and cross examination of both the parties is completed. It is further pertinent to mention that the prosecution has also made its final submissions and the trial is at the final stage of arguments on behalf of the Accused persons;

h. That in order to delay the adjudication of trial, one Mr. Sanjay Hariram Agarwal, one of the co-accused of the Petitioner herein filed an application (Interim Application 63 of 2020 in the case bearing number Criminal Application 628 of 2014) *inter alia* seeking transfer of

case bearing number C.C. No. 147 of 2002 pending before Ld. Chief Judicial Magistrate, Nagpur to competent court in Mumbai;

- i. Further, while dismissing the said transfer petition and PIL filed by the Applicant herein, the Hon'ble High Court of Bombay while recording the substantial progress that has been made in the trial against the Petitioner herein and his co-accused, vide order dated 24.06.2019 passed in Civil Public Interest Litigation 15 of 2020 and other connected matters, has stated that transferring of the pending trial to the competent court in Mumbai will in fact cause inconvenience to the parties and witnesses involved. Furthermore, the Hon'ble High Court of Bombay vide the said order dated 24.06.2021 also directed the trial court to complete the trial in C.C. No. 147/2002 by passing the final judgment and order within maximum period of four months. The relevant para of order dated 24.06.2021 passed by Hon'ble High Court of

Bombay in Criminal Application 628 of 2014 and other connected matters is reiterated herein for perusal of this Hon'ble Court:

“50. ... The learned Counsel appearing for the Applicant as well as other Advocates supporting the plea of transfer has not pointed out any material which is contrary to the above submission of the learned Advocate General. **Apart from this, it is to be noted that the trial of some of the said criminal cases have progressed substantially and therefore, at this stage transferring the trial of all these criminal cases to Mumbai will affect the progress of said criminal cases**

...

52. As far as the aspect regarding general convenience of parties or witnesses are concerned, trial in some of the said criminal cases have progressed substantially. Apart from that, the aspects which the learned Advocate General has pointed out in paragraph 7 of his Brief Note which are set out hereinabove, clearly shows that in fact transfer will inconvenience the parties and witnesses. Taking overall view of the matter transferring trial of all these criminal cases will not be in the interest of justice.

...

54. Hereinafter we will deal with the contentions raised in Public Interest Litigation No. 15 of 2020. In this PIL, the Petitioners have sought relief that appropriate action be initiated against Respondent Nos.5 – Sunil Chhatrapal Kedar and 6 – K.D. Choudhari in said PIL No.15/2020 and also against Chief Judicial Magistrate, Court No.I, Nagpur, under the provisions of Contempt of Courts Act, 1971, for

failure to act in consonance with the order dated 23/12/2014 passed in PIL No.25/2014 and the orders dated 5/05/2017, 6/04/2018 and 4/03/2019 passed in Civil Application No.519/2017 in PIL No.25/2014 and further seeking prayer to direct the Registry of Nagpur Bench of this Court to take appropriate action for remittance of the Record and Proceedings in C.C. No.147/2002 (Old C.C.No.101/2002)

...

56. The said Civil Application No.1701/2019 was numbered as PIL No.58/2019 (Nagpur) pursuant to directions dated 4/10/2019 passed by Nagpur Bench of this Court. The said PIL is transferred to this Court by order dated 11/02/2020 passed by Hon'ble Chief Justice in Criminal Application No.60/2020 with Criminal Application No.61/2020 and after transfer of the same to Principal Seat at Mumbai said PIL is numbered as PIL No.15/2020. By the Administrative order dated 21/02/2020, the said PIL No.15/2020 is clubbed together with the above nine Criminal Applications.

...

67. By order dated 7/11/2019 passed in PIL 58/2019, the Nagpur Bench directed setting up of a dedicated Court for trying the criminal case No.147/2002 and issued several directions including directing the Presiding Officer of the Dedicated Court to submit periodical reports at interval of every 15 days about progress of the case. It appears that in view of aforesaid directions the trial has considerably progressed and **now only three witnesses have remained to be examined.**

...

71. (ii) **We direct that the trial in said C.C.No.147/2002 (Crime No.101/2002 registered with Ganesh Peth police station, Nagpur) be**

completed by passing final Judgment and Order within maximum period of four months from today. We make it clear that we are granting maximum four months time in view of Covid 19 restrictions. With these directions although we are disposing of the PIL No.15/2020, however, we direct that the learned Presiding Officer dealing with said criminal case shall file monthly report of progress of trial of C.C.No.147 of 2002 to this Court

(iii) We make it clear that after completion of trial in said C.C.No.147/2002 (Crime No.101/2002 registered with Ganesh Peth police station, Nagpur) against other accused except the Applicant, the trial against Applicant be commenced by conducting the same expeditiously and preferably on day to day basis and the same be completed within a period of four months after commencement of trial against present Applicant.

(iv) In view of dismissal of all Criminal Applications, Interim Application made therein do not survive and disposed of as such.”

[Emphasis Supplied]

The said order dated 24.06.2021 passed by Hon’ble High Court of Bombay in Criminal Application 628 of 2014 and other connected matters is marked and annexed herewith as **Annexure A4**;

- j. That after passing of the abovementioned order dated 24.06.2021 by the Hon’ble High Court of Bombay, with

intention to practically challenge the said order dated 24.06.2021, the Petitioner herein filed the instant Petition under the garb of 'Transfer Petition' to obtain the reliefs already sought by the Petitioner and his co-accused before the Hon'ble High Court of Bombay;

- k. Thereafter, after this Hon'ble Court issued notice vide order dated 09.09.2021 in the present matter, the Petitioner herein as another tactic to delay the proceedings before the Ld. Trial Court, filed an application before the Ld. Trial Court seeking 'long adjournment' or to stay the further proceeding till pendency of the instant transfer petition, however, the Ld. Trial vide order dated 24.09.2021 dismissed the said application and directed to proceed with the trial as directed by Hon'ble High Court of Bombay. The relevant part of the order dated 24.09.2021 passed by Ld. 2nd Addl. Chief Magistrate, Nagpur is reproduced herein for sake of ready reference of this Hon'ble Court:

*“Therefore, as directed by Honourable High Court vide order dated 24/06/2021 in Criminal Application No. 628/2014, Sanjay Agrawal Vs. Omprakash Bhaurao Kamdi & Ors and Civil Public Interest Litigation No. 15/2020 (Omprakash Bhaurao Kamdi & Ors Vs. The State of Maharashtra & Ors), this Court has to decide the case within four months w.e.f. 24/06/2021. It is needless to say that this order is binding not only on this Court but also on the parties concern. Out of this time limit of four months, three months have already been lapsed. **The matter is now closed for final argument and fixed on 28/09/2021**. Hence, keeping the trial in abeyance as prayed for, would amount to breach of directions of the Honourable High Court to conduct the trial on day to day basis and to dispose of the same within the prescribed time frame. Thus, the prayer to stay the matter is directly in breach of the directions of the Honourable High Court issued time to time for expediting the trial. In the result, following order is hereby passed”*

[Emphasis Supplied]

The order dated 24.09.2021 passed by Ld. 2nd Addl. Chief Magistrate, Nagpur in R.C.C. No. 147/2002 is marked and annexed herewith as **Annexure A5**;

1. That even after clear directions from the Hon’ble High Court of Bombay as well as Ld. Trial Court for adjudicating the trial within the time frame stipulated by

the Hon'ble Courts, the Petitioner herein and his co-accused by using all the tactics are trying to adjourn the trial which is already at the final stage and pending for arguments on behalf of the Accused only. It is evident from the order dated 04.10.2021 passed by the by Ld. 2nd Addl. Chief Magistrate, Nagpur in R.C.C. No. 147/2002 which is rephrased hereinbelow:

*“Application for grant of exemption on behalf of accused No. 1, 4 to 7. Exh. 3351 - Application for grant of exemption on behalf of accused No. 8 and 9. Exh. 3352 - Application for grant of exemption on behalf of accused No. 11. Order passed on all applications (Exh. 3350 to Exh. 3352) P.E.is granted for today only. **Heard Argument of prosecution. Ld. Spl. Puclic Prosecutor concluded his final argument on behalf of prosecution.** Exh. 3353 - Application for grant of adjournment on behalf of accused No. 1. Order passed on it. Time is granted to accused No.1 for argument till 7.10.2021 as a last chance. Exh. 3354 - Application for grant of adjournment on behalf of accused No.2. Order passed on it. Adjournment granted for today only as a last chance. Ld. counsel for accused No.2 to argue the matter on 5.10.2021 without fail. Order passed below Exh. 1 In view of submission on behalf of the Ld. Counsels for respective accused persons, the matter is kept for final argument of defence since 5.10.2021.”*

[Emphasis Supplied]

The order dated 04.10.2021 passed by Ld. 2nd Addl. Chief Magistrate, Nagpur in R.C.C. No. 147/2002 is marked and annexed herewith as **Annexure A6**.

5. It is most respectfully in order to further delay the adjudication of pending trial the Petitioner has filed the present Transfer Petitioner and thereafter filing I.A. 124997/2021 for directions, without disclosing the relevant facts, which if would have brought before this Hon'ble Court, the Hon'ble Court would not have granted the stay of proceedings in R.C.C. No. 147/2002 which is already at the final stage of hearing pending before Ld. Trial Court.
6. It is most respectfully submitted that the Petitioner are trying to misuse the order dated 05.10.2021 passed by this Hon'ble Court, to bring the entire proceeding which is at final stage of hearing, to a halt.
7. That the intention of the Petitioner herein is just to delay the process of justice by hook or by crook, which is evident from

the fact that the Petitioner has intentionally did not disclose the orders passed by the Hon'ble High Court of Bombay directing the Trial Court in R.C.C. No. 147/2002 to adjudicate the matter within a time limit framed by the Hon'ble High Court. Further, it is also pertinent to mention that the malafide of the Petitioner is also clear from the fact that in order to mislead this Hon'ble Court the Petitioner has failed to state the current stage of the trial in R.C.C. No. 147/2002 pending before the Ld. 2nd Addl. Chief Magistrate, Nagpur.

8. That the trial pending in R.C.C. No. 147/2002 covers a relevant question of fact and law which requires an expeditious adjudication as it deals with allegations for serious offences like those punishable under Sections 406, 409, 468, 471, read with section 120-B and Section 34 of the Indian Penal Code involving a scam of 150 crores of rupees, perpetrated way back in the year 2002.

9. It will not be out of place to mention that the Ld. Trial Court had already completed the examination of all the witnesses on behalf of all the parties including the Petitioner himself. Further, the arguments on behalf of the prosecution has also been concluded and the matter is pending just for the arguments on behalf of the Accused/Petitioner herein. That the substantial developments that has happened over the years in the trial against the Petitioner herein will go in vein if the order dated 05.10.2021 granting stay in favour of the Petitioner is not recalled/modified by this Hon'ble Court.
10. That it will be a miscarriage of justice, if the order dated 05.10.2021 passed by this Hon'ble Court staying the proceedings in R.C.C. No. 147/2002 before the Ld. Trial Court is not recalled/modified.
11. That the order dated 05.10.2021 passed by this Hon'ble Court is being exploited by the Petitioner to avoid the pending trial before the Ld. 2nd Addl. Chief Magistrate, Nagpur as the

Petitioner is apprehending the judgment/final order against himself.

12. It is thus, most respectfully submitted that if the order dated 05.10.2021 passed by this Hon'ble Court is allowed to misused by the Petitioner in such a manner, the same will set a wrong precedent and people of means will seek to take shelter of such bona-fide orders passed by this Hon'ble Court. Thus, the present order deserves to be recalled/modified by this Hon'ble Court, to the extent that the stay of proceedings in R.C.C. No. 147 of 2002 pending before Ld. 2nd Addl. Chief Magistrate, Nagpur may be lifted.

13. That it will be in interest of justice to allow the present application and modify and recall the order dated 05.10.2021.

14. The present application is bona-fide and made in the interest of justice.

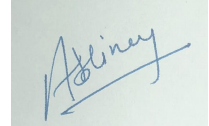
PRAYER

In view of the facts and circumstances stated above it is most respectfully prayed that this Hon'ble Court may be pleased to:

- a. Recall/Modify the order dated 05.10.2021 passed by this Hon'ble Court in Transfer Petition (Crl) No. 333-348 of 2021 and direct the Trial Court to expeditiously complete the hearing in R.C.C. No. 147/2002;
- b. pass such other order(s) and further order/direction(s) as is deemed just and proper in the facts and circumstances of the case.

AND FOR THIS ACT OF KINDNESS THE APPLICANT AS IN DUTYBOUND SHALL PRAY

FILED BY:



MR. ABHINAY

(ADVOCATE FOR THE APPLICANT)

PLACE: NEW DELHI

DATE: 18. 10.2021

**IN THE SUPREME COURT OF INDIA
CRIMINAL ORIGINAL JURISDICTION**

**I.A. No _____ OF 2021
IN**

TRANSFER PETITION (CrI.) NO.

OF 2021

KETAN KANTILAL SETH

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VERSUS

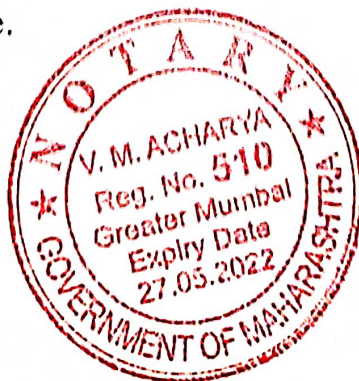
STATE OF GUJARAT & Ors

...RESPONDENTS

AFFIDAVIT

I, Omprakash Bhauraoji Kamdi, aged 66years, R/o Ward no 4, Badegaon, Nagpur, Maharashtra 441101, do hereby solemnly affirm and declare as under:

1. That I am the Applicant in the accompanying Application. I am well conversant with the facts of the case and competent to swear this affidavit based on my knowledge.
2. I say that the contents of accompanying application are true & correct to my knowledge and information derived from the record of the case and those of law made in the accompanying Application are true as per the legal advice received and believed to be true.

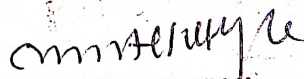


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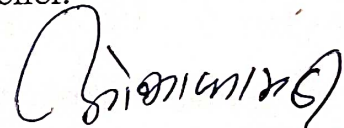
3. That the contents of accompanying Application have been drafted by counsel under my instructions and same may be read as part and parcel to this Affidavit and are not being reproduced herein for sake of brevity.
4. That the Annexures to the Accompanying Application are true and correct copies of their respective originals.
5. That the facts stated in accompanying Application are true and correct to best of my knowledge and belief.

BEFORE ME


V. M. ACHARYA
NOTARY

17 OCT 2021

GREATER BOMBAY VERIFICATION:

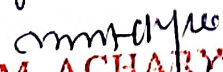


DEPONENT

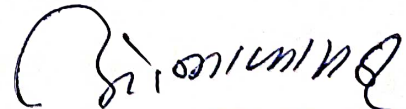
I, Omprakash Bhauraoji Kamdi, aged 66years, R/o Ward no 4, Badegaon, Nagpur, Maharashtra 441101 above named Deponent do hereby verify that the averments herein above Paragraph 1 to 5 are true to my knowledge and belief, and no part of it is false and nothing materials has been concealed thereform.

Verified at Mumbai on this 17th day of October, 2021.

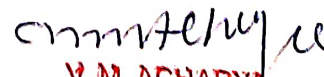
I have explained in Marathi
I have seen unique Z-Card
of Mr. Omprakash B. Kamdi
having No. 87779914 8555


VALMIK M. ACHARYA
ADVOCATE & NOTARY
541/B-3, GAJJAR NIVAS,
DR. AMBEDKAR RD., KING CIRCLE,
MATUNGA, MUMBAI - 400 019.

17 OCT 2021


DEPONENT
Notarial Registrar

BEFORE ME Sr. No. 9024/2021


V. M. ACHARYA
NOTARY
GREATER BOMBAY

2312pil25.14.odt

1

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

P.I.L. No.25 of 2014

Omprakash Bhaurao Kamdi and Ors. vs. State, through its Secretary, Deptt. of Co-op. and Textiles,
Mantralaya and Ors.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr.S.P.Bhandarkar, Adv. for the petitioners.
Mrs.Bharti Dangre, G.P. for respondent nos. 1 to 3.
Mr.M.V.Samarth, Adv. for respondent no.5.
Mr.D.V.Siras, Adv. for respondent no.6.

CORAM : B. R. GAVAI AND
V. M. DESHPANDE, JJ.

DATE : 23.12.2014.

Heard.

The petitioners have approached this Court for various reliefs including direction to respondent nos. 1 to 4 to take immediate steps for recovery of amount from respondent nos. 5 and 6.

The appeal filed by some of the Directors of the Bank is allowed and the State Government has directed an enquiry u/s.88 of the Maharashtra Co-operative Societies Act, 1960 to be conducted de novo. In that view of the matter, the question of recovery of amount would arise only after the enquiry is completed.

Though the learned Government Pleader states that the statutory period for completing the enquiry is two years, the enquiry shall be completed as expeditiously as possible.

2312pil25.14.odt

2

We, therefore, direct the Enquiry Officer, who is said to be a lawyer, to conclude the enquiry within a period of six months from today.

It is further directed that the contesting parties shall co-operate with the enquiry. If in concluding the enquiry expeditiously any party indulges in delaying tactics, the Enquiry Officer would be at liberty to draw such inference as is permissible in law.

Insofar as the Criminal case is concerned, the trial Court could not proceed since one of the accused is absconding.

The learned Government Pleader, on instructions from the Public Prosecutor appearing before the trial Court, makes a statement that steps would be taken for separating the trial of the absconding accused and the trial would proceed expeditiously insofar as the other accused are concerned.

In that view of the matter, we also directed the learned Judicial Magistrate, First Class, Court No.1, Nagpur to expedite the trial and conclude the same as expeditiously as possible and in any case, within a period of one year from today.

Mr.S.P.Bhandarkar, learned Counsel for the petitioners submits that, in view the afore-said directions, the grievance of the petitioners stands satisfied as of now. However, he reserves liberty to take such steps as are permissible in law, at an appropriate

2312pil25.14.odt

3

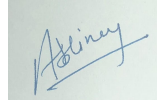
stage.

In view of the above, the petition is disposed of by reserving the right of the petitioners, as prayed for.

JUDGE

JUDGE

*jaiswal



TRUE COPY

ANNEXURE A2

0603cao519.17

1/2

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CIVIL APPLICATION (CAO) NO.519 OF 2017
IN PUBLIC INTEREST LITIGATION NO.25 OF 2014
(Omprakash Bhaurao Kamdi and others vs. State of Maharashtra and others)

Office Notes, Office Memoranda of
Coram, appearances, Court's orders Court's or Judge's orders
or directions and Registrar's orders.

Shri S.P. Bhandarkar, Advocate for applicants/
petitioners.
Shri M.K. Pathan, Assistant Government Pleader for
respondent nos.1 to 3.
Shri M.V. Samarth, Advocate for respondent no.4.
Shri A.A. Naik, Advocate for respondent no.5.
Shri D.V. Siras, Advocate for respondent no.6.

CORAM : P.N. DESHMUKH AND
ROHIT B. DEO, JJ.

DATED : MARCH 6, 2019

In compliance to order dated 4/3/2019, we have received report dated 5/3/2019 from Chief Judicial Magistrate, Nagpur along with records and proceedings wherein it is informed that though proceedings are expedited by this Court vide order passed in P.I.L. No.25/2014, due to further orders in Criminal Application Nos.624/2014 to 631/2014, 332/2015, 333/2015, 322/2015 and 1022/2015 by the Principal Seat of High Court at Mumbai granting stay to proceedings, criminal case could not be decided in a time bound frame and same is pending.

We from the report conclude that learned Magistrate failed to appreciate the order passed by Division Bench as against the order passed by learned

0603cao519.17

2/2

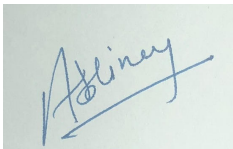
Single Judge of the Principal Seat and in that reference, mechanically adjourned the proceedings holding that same are stayed by the orders of High Court. The facts mentioned in the report thus clearly establish that in spite of expediting trial as aforesaid, same is pending without sufficient reason. The learned Chief Judicial Magistrate in fact, in his report, has undertaken to decide the case within a period of two months from the date of further order, if any issued by this Court.

Considering the fact that there is no stay to the proceedings and as learned Chief Judicial Magistrate has shown his readiness to complete trial within two months, we accept his undertaking and direct that steps be taken by the Court of learned Chief Judicial Magistrate for deciding Regular Criminal Case No.147/2002 pending on his file. In spite of two months, we grant him one more month and grant period of three months for completion of trial.

Stand over to 3/4/2019 for establishing part compliance of this order.

R & P be sent back to the concerned Court forthwith.

TRUE COPY



JUDGE

JUDGE

khj

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

CIVIL APPLICATION NO. 1701 OF 2019

IN

PUBLIC INTEREST LITIGATION NO. 25 OF 2014

(Omprakash Bhaurao Kamdi and Ors. Vs. State of Maharashtra and others)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr. S.P. Bhandarkar, Advocate for petitioner.
Mr. M.K. Pathan, AGP for Respondent No. 1 to 3.
Mr. M.V. Samarth, Advocate for Respondent No.4.
Mr. A.A. Naik, Advocate for Respondent No. 5
Mr. D.V. Siras, Advocate for Respondent No. 6.

CORAM : SUNIL B. SHUKRE AND
MILIND N. JADHAV, JJ.

DATE : 04.10.2019.

After hearing Shri Bhandarkar, learned counsel for the applicants who are the original petitioners, Shri Pathan, learned AGP appearing for the respondent Nos. 1 to 3, Shri Samarth, learned counsel for Respondent No. 4, Shri Naik, learned counsel respondent No. 5 and Shri Siras, learned counsel for respondent No. 6, we find that the grievance of the petitioner, which was earlier found to be satisfied to a large extent and which was the reason for

disposing of the PIL No. 25/2014 by an order passed by this Court on 23.12.2014, has resurfaced again as, *prima facie*, the Court of Chief Judicial Magistrate, Nagpur, has frustrated the whole purpose which was sought to be achieved by the order passed on 23.12.2014.

By the order dated 23.12.2014, this Court directed the concerned Criminal Court, which is the Court of Chief Judicial Magistrate, Nagpur, to expedite the trial and conclude the same as expeditiously as possible and in any case within the period of one year from 23.12.2014. It was also indicated by this Court that the trial of the absconding accused be separated. Relevant paragraphs of the order dated 23.12.2014, for the sake of convenience, are reproduced as under :

“CORAM: B. R. GAVAI AND V. M. DESHPANDE, JJ

Heard.

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In that view of the matter, we also directed the learned Judicial magistrate, First Class, Court No. 1, nagpur to expedite the trial and conclude the same as expeditiously as possible and in any case, within a period of one year from today.....”

However, the trial did not move forward and the reason given by the learned Magistrate was that after the order dated 23.12.2014 was passed, one of the accused Sanjay Hariram Agrawal, moved several criminal applications before the Principal Seat of High Court of Bombay in which stay was granted by learned Single Judge at Mumbai to that criminal trial which was pending before a court amenable to territorial jurisdiction of this Court.

This Court, therefore, was compelled to make some observations while passing the order dated

06.04.2018. This Court observed that it was difficult to appreciate as to how the learned Single Judge at Bombay had entertained the challenge to the proceedings pending before the Court which was situated within the territorial jurisdiction of Nagpur Bench. This Court then went on to clarify the whole issue so that the trial, as directed earlier, could be completed by the criminal court at Nagpur expeditiously.

Let us not forget, the criminal trial is pending before Nagpur Court since the year 2002 and therefore, the interest of justice required that the trial was concluded as early as possible. Showing sensitivity to the issue involved, this Court then by the order passed on 06.04.2018, observed that the stay order passed by the learned Single Judge at Bombay would not come in the way of learned trial Judge to conduct the trial except against the person in whose case the order was passed by the learned Single Judge of this Court at Bombay. Relevant paragraphs in which these observations and clarifications appear in the order passed on 6.4.2018

are reproduced as under :-

*“CORAM : B.R. GAVAI AND M.G. GIRATKAR,
JJ
date : 6/4/2018*

- 1.*
- 2.*
- 3. Firstly, it is difficult to appreciate as to how learned Single Judge as Bombay could have entertained the proceedings pending before the Court which is situated within the territorial jurisdiction of Nagpur Bench.*
- 4. We therefore clarify that said order would not come in the way of learned trial Judge to conduct the trial, except against the person in whose case the order is passed by the learned Single Judge of this Court at Bombay.”*

Inspite of such clarification, it appears, nothing had had any impact on the concerned criminal court and the trial continued to remain standstill. This fact was again brought to the notice of this court on 06.03.2019 by which time report of the concerned Chief Judicial Magistrate, was already called and placed before the Court. On going through this report, this Court again concluded that the learned Magistrate mechanically adjourned the proceedings holding that the same were stayed by the orders of the High

Court. This Court also found that no sufficient reason was assigned by the learned Magistrate for the delay that occurred in the case. This Court then noted that the learned Chief Judicial Magistrate, in his report had undertaken to decide the case within the period of two months from the date of further order, if any, issued by this Court. However, the trial was not taken forward, in any manner, much less completed, which was in breach of the undertaking given by the learned Magistrate himself to this Court and also specific directions given by this Court. Yet, this Court treated the learned Magistrate with indulgence, perhaps undeservedly for the learned Magistrate, and, therefore, this Court granted further two months' time to him to conclude the trial. The relevant paragraphs of the order dated 06.03.2019, for the sake of convenience, are reproduced as below :

*"CORAM : P. N. DESHMUKH AND ROHIT B.
DEO, JJ
DATED : MARCH 6, 2019*

.....

We from the report conclude that learned Magistrate failed to appreciate the order passed by Division Bench as against the order passed by learned Single Judge of the Principal Seat and in that reference, mechanically adjourned the proceedings holding that same are stayed by the orders of High Court. The facts mentioned in the report thus clearly establish that inspite of expediting trial as aforesaid, same is pending without sufficient reason. The learned Chief Judicial Magistrate in fact, in this report, has undertaken to decide the case within a period of two months from the date of further order, if any issued by this Court.

Considering the fact that there is no stay to the proceedings and as learned Chief Judicial Magistrate has shown his readiness to complete trial within two months, we accept his undertaking and direct that steps be taken by the Court of learned Chief Judicial Magistrate for deciding Regular Criminal Case No. 147/2002 pending on his file. Inspite of two months, we grant him one more month and grant period of three months for completion of trial.

.....

”

Once again, the matter was listed before this Court on 13.09.2019. All these events which have taken place earlier and the directions which have been given by

this Court from time to time, were summarized in this order and report of the learned Principal District Judge was called. Now, the report has been received and it shows that the present Chief Judicial Magistrate, Nagpur, has recently joined after having taken charge of the post on 10.06.2019 before which date, the period of two months granted by this Court for conclusion of the trial had already expired. He has also expressed difficulty to proceed with the trial as the record and proceedings of the whole case have already been sent to the Court of the learned Single Judge at Principal Seat, Mumbai.

The facts and circumstances discussed above would show that far from reaching the stage of satisfaction of the grievance of the petitioners, there has been aggravating and ballooning of the grievance of the petitioners as it existed before the PIL was disposed of on 23.12.2014. It has therefore, become necessary to deal with the grievance of the petitioner by directing the registration of this application as fresh PIL. The order dated 23.12.2014

has also granted liberty to the petitioners to take such steps as are permissible in law.

Registry is, therefore, directed to treat the application as a fresh and separate Public Interest Litigation in which case the notices shall stand issued to the respondents in which event, learned Assistant Government Pleader would waive notice for respondent Nos. 1 to 3; learned counsel Mr. Samarth would waive notice for respondent Nos. 4 and Mr. Naik, learned counsel would waive notice for respondent No. 5. We direct the petitioners to add Shri Sanjay Hariram Agrawal as party-respondent to this petition by carrying out amendment. Necessary amendment be carried out within two weeks from the date of the order. Notice be issued to the newly added respondent Sanjay Hariram Agrawal returnable on 05.11.2019.

Learned Registrar (Judicial) is requested to ensure that the notice is served upon Sanjay Hariram Agrawal with the assistance of the Commissioner of Police,

Nagpur. The Commissioner of Police, Nagpur, or his nominated officer shall submit before this Court his report regarding due service of notice on Sanjay Hariram Agrawal on or before the next date.

The record and proceedings of criminal case No. 147/2002 (Crime No. 101/2002 registered with Police Station Ganeshpeth, Nagpur) be called immediately and placed before the Court of Chief Judicial Magistrate, Nagpur, so that the trial of the case except against the accused (Sanjay H. Agrawal) whose trial has been stayed by the learned Single Judge at Mumbai proceeds further in compliance with the directions given many a times by this Court earlier. If any record of the criminal case pending against said Sanjay Hariram Agrawal would be required by Mumbai Court, the learned Chief Judicial Magistrate shall separate that part of the record which pertains to the said accused and send it to Mumbai Court. Special bailiff be deputed for bringing the record and proceedings.

These steps are necessary because the criminal

case, which is pending, involves serious offences like those punishable under Sections 406, 409, 468, 471, read with section 120-B and Section 34 of the Indian Penal Code involving a scam of 150 crores of rupees, perpetrated way back in the year 2002 and today in the year 2019, the trial has not moved even an inch. It stands almost at same stage at which it stood in the year 2002. Definitely, the justice administration system owes an explanation to the society for such inordinate delay, especially when public money to the tune of Rs. 150 crores and interests of unsuspecting victims, largely poor agriculturists and depositors are at stake.

We would also request the learned Principal District & Sessions Judge, Nagpur to send to this Court names of all the Presiding Officers, who had an occasion to deal with the aforesaid criminal cases since 23.12.2014 till date so as to enable us who examine the issue of contempt of court appropriately.

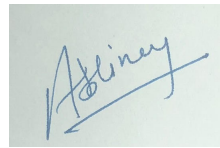
Liberty is granted to applicants to file documents, if any, on record by next date. A true copy, duly

authenticated, be supplied to all the concerned.

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TRUE COPY

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 624 OF 2014

Sanjay Hariram Agarwal ... Applicant
Vs.
The State of Maharashtra ... Respondent

ALONGWITH
CRIMINAL APPLICATION NO. 332 OF 2015

Sanjay Hariram Agarwal ... Applicant
Vs.
Wardha District Central Co-Operative Bank Ltd. ... Respondent

ALONGWITH
CRIMINAL APPLICATION NO. 889 OF 2019
IN
CRIMINAL APPLICATION NO. 332 OF 2015
IN
CRIMINAL APPLICATION NO. 333 OF 2015

Wardha District Central Co-op Bank Ltd. ... Applicant
Vs.
Sanjay S/o. Hariram Agarwal & Anr. ... Respondents

ALONGWITH
CRIMINAL APPLICATION NO. 1022 OF 2014

Sanjay Hariram Agarwal ... Applicant
Vs.
The State of Maharashtra ... Respondent

CRIMINAL APPLICATION NO. 625 OF 2014

Sanjay Hariram Agarwal ... Applicant
Vs.
The State of Maharashtra ... Respondent

AND
CRIMINAL APPLICATION NO. 626 OF 2014

Sanjay Hariram Agarwal ... Applicant
Vs.

Sonali

The State of Maharashtra ... Respondent

WITH

CRIMINAL APPLICATION NO. 627 OF 2014

Sanjay Hariram Agarwal ... Applicant

Vs.

The State of Maharashtra ... Respondent

WITH

CRIMINAL APPLICATION NO. 628 OF 2014

Sanjay Hariram Agarwal ... Applicant

Vs.

The State of Maharashtra ... Respondent

WITH

CRIMINAL APPLICATION NO. 629 OF 2014

Sanjay Hariram Agarwal ... Applicant

Vs.

The State of Maharashtra ... Respondent

WITH

CRIMINAL APPLICATION NO. 630 OF 2014

Sanjay Hariram Agarwal ... Applicant

Vs.

The State of Maharashtra ... Respondent

WITH

CRIMINAL APPLICATION NO. 631 OF 2014

Sanjay Hariram Agarwal ... Applicant

Vs.

The State of Maharashtra ... Respondent

WITH

INTERIM APPLICATION NO.63 OF 2020

IN

CRIMINAL APPLICATION NO. 628 OF 2014

The State of Maharashtra ... Applicant

Vs.

Sanjay Hariram Agarwal & Ors. ... Respondents

WITH

CRIMINAL APPLICATION NO. 322 OF 2015

IN

Sonali

**CRIMINAL APPLICATION NO. 629 OF 2014
WITH
CIVIL PUBLIC INTEREST LITIGATION NO. 15 OF 2020**

Omprakash Bhaurao Kamdi & Ors. ... Petitioners
Vs.
The State of Maharashtra through
Its Secretary & Ors. ... Respondents

**WITH
INTERIM APPLICATION NO. 2250 OF 2020
IN
PUBLIC INTEREST LITIGATION NO. 15 OF 2020**

Sanjay Hariram Agarwal ... Applicant
Vs.
Omprakash Bhaurao Kamdi & Ors. ... Respondents

.....
Mr. Niteen Pradhan a/w. Shubhada D. Khot for the Applicant.

Mr. Abhijeet Desai a/w. Mr. Amol Jagtap for the Respondent No.1 in
Appln. No. 332/2015.

Mr. Rutu Pawar i/b. Mr. Sanjiv Sawant for the Respondent Nos. 4, 6,
7, 9 and 10 in Criminal Application No. 631 of 2014.

Mr. Pramod Patil a/w. Mr. Ajit Dilip Hon a/w. Komal Mestry i/b. PNP
& Associates for the Respondent No.8 in Criminal Application No.
1022/2014.

Mr. Joel Carlos a/w. Zishan Quazi Respondent No. 23 in Criminal
Application No. 630 of 2014.

Mr. Pralhad Paranjape for the Respondent No.2 in Criminal

Sonali

Application No. 628/2014.

Mr. A. A. Kumbhakoni, Advocate General a/w. Mr. A. R. Patil, APP
for the Respondent-State.

.....

**CORAM: A. A. SAYED AND
MADHAV J. JAMDAR, JJ.**

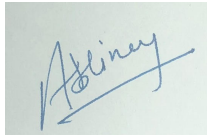
**DATE : 24th JUNE, 2021.
(THROUGH VIDEO CONFERENCE)**

P. C:-

1. Learned Advocate General to submit details regarding status of Criminal Cases.
2. Reserved for orders.

(MADHAV J. JAMDAR, J.)

(A. A. SAYED, J.)



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1 R.C.C.No.147/2002
State vs. Sunil Kedar and ors

ORDER BELOW EXH.No.3339
(Dt. 24/09/2021)

1] This is an application on behalf of accused No.4 Ketan Seth praying therein to give long adjournment or to stay further proceeding till the decision of Transfer Petition pending before the Honourable Supreme Court. It is further contended that he has filed the Transfer Petition (Criminal) bearing No.333-348 of 2021. In support of his submission, reliance is placed upon the order dated 23.3.2021 passed by Honourable Apex Court in **Special Leave to Appeal [C] No.10937/2019, Justice for Right Foundation Vs. Union of India and Others.**

2] The prosecution has opposed the application on the ground that the proceedings of this case are not stayed by the Honourable Apex Court and the application deserves to be rejected.

3] Heard Adv. Mr. Girish Purohit for accused No.4 and ld. Special Public Prosecutor for State.

4] The copy (Annexure-A) annexed with the application would disclose that the Honourable Supreme Court has passed an order to issue notices, returnable within six weeks. There is no order as regards the stay of this proceeding.

5] The ld. Counsel for accused No.4 submit that issuance of notice by Honourable Apex Court amounts to the stay of proceeding before this Court. In support, he has relied upon the case of '**Justice for Right Foundation Vs. Union of India & Ors.**' (*cited supra*). He has

also invited the attention of this Court to some pages which according to him are downloaded from the website of Live Law. According to him, as per said commentary on the website of Live Law, the Honourable Supreme Court has observed that, “Normally when notice issued in transfer, it is assumed that it is stayed.”

6] Carefully gone the order of Honourable Apex Court in the case of '**Justice for Right Foundation Vs. Union of India & Ors.**' (cited supra). In the said case, the Honourable Apex Court has stayed the matters pending before the Honourable High Court of Punjab and Haryana by passing the specific order to that effect. However, no such order is passed in the petition alleged to have filed by this accused No.4. Hence, ld. Counsel for accused No.4 can not take the aid of aforesaid citation to putforth his contention in the present set of facts.

7] It is pertinent to note that the Transfer Petition moved by accused No.3 Sanjay Agrawal is already dismissed by the Honourable High Court, Bench at Bombay, in Criminal Application No. 628/2014 with Interim Application No. 63/2020 vide order dated 24/06/2021. While dismissing the said petition, the Honourable High Court has directed this Court to complete the trial within four months of the date of said order. The relevant portion of the operative order is as under:

“71. Thus we dispose of all these matters by passing the following order:

- (i) All Criminal Applications are dismissed with costs, subject to clarification as contained in paragraph 70.
- (ii) We direct that the respective Trial Courts dealing with respective criminal cases as mentioned in para No.1

3 R.C.C.No.147/2002

State vs. Sunil Kedar and ors

to complete the trial of said cases expeditiously.

(ii) We direct that the trial in said C.C.No.147/2002 (Crime No.101/2002 registered with Ganesh Peth police station, Nagpur) be completed by passing final Judgment and Order within maximum period of four months from today. We make it clear that we are granting maximum four months time in view of Covid-19 restrictions. With these directions although we are disposing of the PIL No.15/2020, however, we direct that the learned Presiding Officer dealing with said criminal case shall file monthly report of progress of trial of C.C.No.147 of 2002 to this Court.

(iii) We make it clear that after completion of trial in said C.C.No.147/2002 (Crime No. 101/2002 registered with Ganesh Peth police station, Nagpur) against other accused except the Applicant, the trial against Applicant be commenced by conducting the same expeditiously and preferably on day to day basis and the same be completed within a period of four months after commencement of trial against present Applicant.

(iv) In view of dismissal of all Criminal Applications, Interim Application made therein do not survive and disposed of as such.”

8] Prior to the above order, the Honourable High Court, Bench at Nagpur directed this Court to conduct the trial of this case on day to day basis vide this order dated 7.11.2019 passed in PIL No.58/2019 (Omprakash Bhaurao Kamdi & Ors Vs. State of Maharashtra & Ors.). Thus, as per the said order, this court is

Order contd....4/-

4 R.C.C.No.147/2002

State vs. Sunil Kedar and ors

functioning as a Dedicated Court for the trial of this case. Since then, no stay order has been passed by any of the Honourable Higher Courts.

9] Therefore, as directed by Honourable High Court vide order dated 24/06/2021 in Criminal Application No. 628/2014, Sanjay Agrawal Vs. Omprakash Bhaurao Kamdi & Ors and Civil Public Interest Litigation No. 15/2020 (Omprakash Bhaurao Kamdi & Ors Vs. The State of Maharashtra & Ors), this Court has to decide the case within four months w.e.f. 24/06/2021. It is needless to say that this order is binding not only on this Court but also on the parties concern. Out of this time limit of four months, three months have already been lapsed. The matter is now closed for final argument and fixed on 28/09/2021. Hence, keeping the trial in abeyance as prayed for, would amount to breach of directions of the Honourable High Court to conduct the trial on day to day basis and to dispose of the same within the prescribed time frame. Thus, the prayer to stay the matter is directly in breach of the directions of the Honourable High Court issued time to time for expediting the trial. In the result, following order is hereby passed.

ORDER

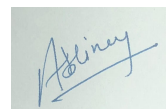
Application (Exh.3339) stands rejected.

Dt. 24.09.2021

(S.R.Totla)
2nd Addl. Chief Judicial Magistrate,
Nagpur

Certificate

I affirm that the contents of this PDF Order are same word to word, as per original Order.



TRUE COPY

Name of Stenographer :- Ku. G.A. Joshi (Grade II)

Order contd..../-

ANNEXURE A6

R.C.C.No.147/2002
State vs. Sunil Kedar & Ors

ORDER BELOW EXH.3354
(Dt. 4/10/2021)

This is an application on behalf of accused No.2 for grant of adjournment. It is contended that ld. Counsel for accused No.2 is busy before the Honourable High Court and therefore, he is unable to attend the Court.

Hence, the following order.

ORDER

- 1] Adjournment granted for today only as a last chance.
- 2] Ld. counsel for accused No.2 to argue the matter on 5.10.2021, without fail.

Dt. 04.10.2021

(S.R.Totla)
2nd Addl. Chief Judicial Magistrate,
Nagpur

Certificate

I affirm that the contents of this PDF Order are same word to word, as per original Order.

Name of Stenographer :- Ku. G.A. Joshi (Grade II)

R.C.C.No.147/2002
State vs. Sunil Kedar & Ors

ORDER BELOW EXH.No.3353
(Dt. 04/10/2021)

1] This is an application for adjournment on behalf of accused No.1. It is contended in the application that Adv. Mr. Chavan for accused No.1 had undergone a major surgery and admitted to the hospital at Indore. It is further contended that he is unable to attend the Court and the adjournment has been sought upto 11.10.2021.

2] It is the matter of record that this is the time-bound matter and the adjournments as such can not conclude the trial within a time frame as directed by the Honourable High Court. It is pertinent to note that Senior Counsel Mr. Subodh Dharmadhikari is also representing the accused. It is contended on behalf of accused that Adv. Mr. Chavan can only brief Adv. Mr. Dharmadhikari.

3] Be that as it may. The sufficient time has been already lapsed for preparing the arguments by the concerned parties. Therefore, such long adjournments can not be justified for the given reason. An adjournment for a day or two at the most can only be given for further preparation, if any, by ld. Counsel for accused No.1. Hence, the following order.

ORDER

Time granted to accused No.1 for argument till
7.10.2021, as a last chance.

Dt. 04.10.2021

(S.R.Totla)
2nd Addl. Chief Judicial Magistrate,
Nagpur

R.C.C.No.147/2002
State vs. Sunil Kedar & Ors

Certificate

I affirm that the contents of this PDF Order are same word to word, as per original Order.

Name of Stenographer :- Ku. G.A. Joshi (Grade II)

R.C.C.No.147/2002
State vs. Sunil Kedar and ors

ORDER BELOW EXH.No.3352.
(Dt. 04/10/2021)

P.E. granted for today only.

Dt. 04.10.2021

(S.R.Totla)
2nd Addl. Chief Judicial Magistrate,
Nagpur

Certificate

I affirm that the contents of this PDF Order are same
word to word, as per original Order.

Name of Stenographer :- Ku. G.A. Joshi (Grade II)

R.C.C.No.147/2002
State vs. Sunil Kedar and ors

ORDER BELOW EXH.No.3351.
(Dt. 04/10/2021)

P.E. granted for today only.

Dt. 04.10.2021

(S.R.Totla)
2nd Addl. Chief Judicial Magistrate,
Nagpur

Certificate

I affirm that the contents of this PDF Order are same
word to word, as per original Order.

Name of Stenographer :- Ku. G.A. Joshi (Grade II)

R.C.C.No.147/2002
State vs. Sunil Kedar and ors

ORDER BELOW EXH.No.3350.
(Dt. 04/10/2021)

P.E. granted for today only.

Dt. 04.10.2021

(S.R.Totla)
2nd Addl. Chief Judicial Magistrate,
Nagpur

Certificate

I affirm that the contents of this PDF Order are same
word to word, as per original Order.

Name of Stenographer :- Ku. G.A. Joshi (Grade II)

R.C.C.No.147/2002
State vs. Sunil Kedar & Ors

ORDER BELOW EXH.No.1
(Dt. 4/10/2021)

Today the ld. Special Public Prosecutor has concluded his final argument on behalf of prosecution. Accused No.1 moved an application for adjournment and case is kept for his argument on 7.10.2021. Likewise, the matter is kept for argument of accused No.2 on 5.10.2021. It is orally submitted on behalf of accused No.4 to 7 that they will conclude their argument on 7.10.2021. Hence, in view of submissions on behalf of the ld. Counsels for respective accused persons, the matter is kept for final argument of defence since 5.10.2021, as above.

Dt. 04.10.2021

(S.R.Totla)
2nd Addl. Chief Judicial Magistrate,
Nagpur

Certificate

I affirm that the contents of this PDF Order are same word to word, as per original Order.

Name of Stenographer :- Ku. G.A. Joshi (Grade II)



PROOF OF SDERVICE

56

Abhinay Sharma <sharmabhinay.aor@gmail.com>

Service of Application for Intervention to be filed by the Applicant in Transfer Petition (Crl) 333-348 of 2021 titled as Ketan Kantilal Seth vs. The State of Gujarat & Ors

1 message

Abhinay Sharma <sharmabhinay.aor@gmail.com>

Mon, Oct 18, 2021 at 1:51 PM

To: pawanshree.adv@gmail.com

 [Final Intervention Application_18.10.2021.pdf](#)

Dear Sir,

Please find attached herewith the Intervention Application on behalf of Mr. Omprakash Bhaurao Kamdi, in the captioned matter.

Kindly acknowledge the receipt of the same.