

**ORDER BELOW EXH. IN R.C.C. NO.1937/2012**  
**(Munawar V/s. Dr. Abdul Gaffar & others)**

1) This is an application by original complainant seeking time to approach superior Courts.

*Before deciding present application, it is necessary to have glimpse of background facts.*

2) Present case was transferred to this Court by the order of the Hon'ble High Court dated 20/07/2015 in Transfer Application No.200/15. Honourable High Court further while transferring the case has expedited the matter and directed to dispose of the matters within six months. Accordingly, the matters were expedited and it was conducted most of the time on day-to-day basis. Matter is now for recording statement of accused under Section 313 of Cr.P.C.

3) Meanwhile, complainant moved an application intimating this Court that he has lost faith in the Court and sought time to move an application seeking the transfer of the matters to some other Court. Initially, transfer application was filed in the Hon'ble High Court and thereafter, it was withdrawn with a liberty to approach the Hon'ble Sessions Court. Later on, a transfer application under Section 408 of Cr.P.C.was filed and it was rejected by the Hon'ble Principal District & Sessions Judge, Aurangabad by order dated 12/02/2016.

4) In this backdrop, present application is filed. Now complainant want to go again to the Hon'ble High Court for seeking the relief of transfer of matter to some other Court. It is pertinent to note here that, at the time of transferring the matters, the Hon'ble High Court has directed me to dispose of the matters within six months. However, said directions of the Hon'ble High Court could not be complied due to filing of transfer petitions of complaint.

5) I have already moved an application seeking extension of time to

Hon'ble High Court and orders on said application are awaited. The directions of Hon'ble High Court to dispose of the matter at the earliest are very much in existence.

6) Considering all these aspects, though, I am inclined to allow the application. At the same time, complainant is directed to get appropriate order on or before next date, else this Court will proceed with the matters in order to comply the directions given by the Hon'ble High Court.

sd/-

Date : 16/02/2016.

(AEJAZ H SAYYED)  
Chief Judicial Magistrate  
Aurangabad.

Certificate

I affirm that the contents of this P.D.F. file Order are same, word to word, as per the original order.

Name of the Stenographer	:	N.B. Sarowar (L.G. Stenographer).
Court	:	Shri. A.H. Sayyed, C.J.M., Aurangabad.
Date of Order	:	16/02/2016.
Order signed by the P.O.	:	18/02/2016.
Order made PDF On	:	18/02/2016.