

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CRIMINAL APPEAL (AGAINST CONVICTION) NO. 1324 of 2019**

=====

KAUSHAL @ HANUMAN LAL BABU @ VIVEKANAND THAKUR
Versus
STATE OF GUJARAT

=====

Appearance:

MR BHARAT K DAVE(246) for the Appellant(s) No. 1

MR KULDEEPSINH V JADAV(10553) for the Appellant(s) No. 1

PUBLIC PROSECUTOR for the Opponent(s)/Respondent(s) No. 1

=====

CORAM:ADDITIONAL REGISTRAR (JUDICIAL)

Date : 03/04/2024**ORAL ORDER**

1. Heard learned advocate Mr. Bharat K. Dave for the appellant. Perused the withdrawal of appearance note dated 06.02.2024 filed by learned advocate Mr. Bharat K. Dave addressed to the office. The withdrawal of appearance is annexed with the original postal cover bearing communication to the appellant and the copy of communication dated 07.03.2024 addressed to the appellant bearing endorsement of the appellant regarding due receipt of communication from his learned advocate, which bears the signature of the appellant. Perused the office note dated 02.03.2024 pertaining to the same.
2. The learned advocate for the appellant has submitted the withdrawal of appearance addressed to this office dated 06.02.2024 for the appellant for deleting his name from the cause title of the captioned matter. The learned advocate submits that he and learned advocate Mr. Kuldeepsinh V. Jadav were jointly representing the

case of the appellant and learned advocate Mr. Kuldeepsinh V. Jadav continues to represent the case of the appellant. The learned advocate has submitted that he had sent the communication to the appellant by RPAD, which returned back to him as unserved to the appellant and thereafter, the appellant approached to him with retirement instructions. The withdrawal of appearance is annexed with the original postal cover bearing communication to the appellant and the copy of communication dated 07.03.2024 addressed to the appellant bearing endorsement of the appellant regarding due receipt of communication from his learned advocate, which bears the signature of the appellant.. Those documents prima facie show that the aforesaid communication has been duly acknowledged by the appellant.

3. In view of the aforesaid averments and on perusal of the record, the withdrawal of appearance filed by learned advocate Mr. Bharat K. Dave dated 06.02.2024 and the office note dated 02.03.2024 pertaining to the same are accepted herewith and disposed of accordingly. The office is directed to remove the name of learned advocate Mr. Bharat K. Dave as an advocate of the appellant from the cause title of the captioned matter at the earliest. No advocate notice is required to be issued to the appellant as learned advocate Mr. Kuldeepsinh V. Jadav continues to represent the case of the appellant.

(M. K. UPADHYAY)

ADDITIONAL REGISTRAR (JUDICIAL)

SSVohra