

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

**R/SPECIAL CRIMINAL APPLICATION (DIRECTION - TO
TRANSFER INVESTIGATION TO CID) NO. 3487 of 2016**

With

**CRIMINAL MISC.APPLICATION (FOR DIRECTION) NO. 1
of 2016**

In R/SPECIAL CRIMINAL APPLICATION NO. 3487 of 2016

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MANISH CHHOTUBHAI MAHYAVANSHI

Versus

STATE OF GUJARAT & ORS.

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Appearance:

MR RAJESH R DEWAL(1024) for the Applicant(s) No. 1

for the Respondent(s) No. 6

MR BM MANGUKIYA(437) for the Respondent(s) No. 4

MR DIGANT M POPAT(5385) for the Respondent(s) No. 5

MS BELA A PRAJAPATI(1946) for the Respondent(s) No. 4

NOTICE SERVED BY DS for the Respondent(s) No. 2,3

PUBLIC PROSECUTOR for the Respondent(s) No. 1

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**CORAM:HONOURABLE MR. JUSTICE CHEEKATI
MANAVENDRANATH ROY**

Date : 23/02/2024

ORAL ORDER

Despite service of notice on respondent Nos. 2 and 3, none appears. Notice on respondent No. 4 in Criminal Misc. Application No. 1 of 2016 is returned with an endorsement, "Refused".

Therefore, it is evident that despite service of notice, he refused to take notice. So, service on respondent No. 4 is held to be sufficient. Despite service of notice on respondent No. 4, none appears.

This is the old matter, of the year 2016. On account of interim order that was passed, the trial Court proceedings are stayed for the last 8 years. Although the matter is listed today for hearing, in view of Leave Note of the learned counsel for the petitioner, the matter could not be taken up for hearing. At the request made on behalf of learned advocate for the petitioner, list the matter finally on **5th March 2024, on the top of the board**. If the petitioner fails to turn up for hearing on that day, the interim order granting stay of trial Court proceedings shall stand vacated without any further reference to the Court.

[Cheekati Manavendranath Roy, J.]

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/8