

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL APPEAL NO.1275 OF 2007**

**MANUBHAI HARGOVANDAS PATEL )...APPELLANT**

**V/s.**

**M/S.LALIT CONSTRUCTIONS & ORS. )...RESPONDENTS**

Shri Manubhai Patel – Appellant – appearing in person.

None for Respondent Nos.1 to 4.

Smt.M.R.Tidke, APP for the Respondent - State.

**CORAM : ABHAY M. THIPSAY, J.**

**DATE : 27<sup>th</sup> APRIL 2016.**

**P.C. :**

1 The appellant is present in person. None appears for respondent nos.1 to 4.

2 In this matter, the appellant, who appears in person, has been complaining that the respondent nos.1 to 4 have been repeatedly seeking adjournments without proper or valid reasons.

On 13<sup>th</sup> April 2016 when the matter appeared on board, though an adjournment as prayed for by respondent nos.1 to 4 was granted, it was done only after imposition of costs. Costs of Rs.500/- were directed to be paid by respondent nos.1 to 4 to the appellant before the next date i.e. 25<sup>th</sup> April 2016.

3            On 25<sup>th</sup> April 2016, none appeared for the respondent nos.1 to 4. The matter was again adjourned till today. Today also, nobody is present for respondent nos.1 to 4. The costs have not yet been paid. This cannot be approved.

4            It is, however, not desirable to decide the appeal finally without hearing the respondent nos.1 to 4. As far as possible, the same should be decided only after hearing them. In the circumstances, with the object of giving the respondent nos.1 to 4 a further opportunity, I am inclined to adjourn the matter. Such adjournment shall be final. Since an adjournment is necessitated due to the absence of respondent nos.1 to 4, it would be proper to impose costs on them.

5 Stand over to **13<sup>th</sup> June 2016.**

6 Respondent nos.1 to 4 shall pay costs of Rs.20,000/-,  
to the appellant on or before that date.

This payment of costs shall be in addition to the costs  
of Rs.500/- earlier imposed by this court.

**(ABHAY M. THIPSAY, J.)**