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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 3750 OF 2023**

Rajabali Shabbir Wishiwala and Another ... Petitioners
Vs.
State of Maharashtra and Another ... Respondents

Mr. N. S. Baig for the Petitioners.

Mr. Jitendra Ahuja for Respondent No.2.

Mr. Ashok R. Metkari, APP for the State – Respondent No.1.

CORAM : GAURI GODSE, J.

DATE : 11th JUNE 2024

P.C.

1. This petition is circulated on behalf of respondent no.2 making a grievance, that though this court has ordered an inquiry concerning the impugned order in the petition and the report is still awaited, the petitioner has moved the Contempt Petition before the Chief Judicial Magistrate, Cantonment Court Pune making a grievance with respect to the order impugned in the petition. He therefore requests to stay the proceedings of the Contempt Petition during the pendency of this

petition.

2. The proceedings with regard to the Contempt Petition are not before this court. Hence, without examining the record I am not inclined to pass any order of stay. However, it is clarified that respondent no. 2 is at liberty to intimate the concerned Contempt Court about the order dated 16th April 2024 passed by this Court and file appropriate application seeking an adjournment.

3. Office remark indicates that the report is still awaited pursuant to order dated 16th February 2024.

4. List the petition on 2nd July 2024. To be listed under the caption "For Directions".

5. Office is directed to make necessary inquiry with regard to the report and place on record copy of the report.

[GAURI GODSE, J.]