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SLP(Crl.)No. 1251/2000

ITEM No.3

Court No. 5

SECTION IIA
A/N MATTER

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl.) No. 1251/2000

(From the judgement and order dated 15/03/2000 in CRLWP 1642/99
of The HIGH COURT OF BOMBAY)

AMAR KANHAYALAL MAKHIJA & ANR.

Petitioner (s)

VERSUS

ASSTT. COMMISSIONER OF POLICE & ANR.

Respondent (s)

(With Appln(s). for stayexemption from filing c/c of the impugned Judgment)
(For Final Disposal)
(With Office Report)

With

SLP(Crl.)No. 1252/2000, SLP(Crl.)No. 1556/2000, SLP(Crl.)No. 1562/2000,
SLP(Cr)2311/2000, WP(Cr)443/2000, SLP(Cr)...CC5097 & CC 5237/2000

Date : 23/01/2001 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.T. THOMAS
HON'BLE MR. JUSTICE R.P. SETHI

For Petitioner (s) Mr. SV Kotwal, Sr. Adv.
in SLP(Cr)1251/00 Mr. Chinmoy A. Kaladhar, Adv.
Mr. Vishwajit Singh, Adv.

in SLP(Cr)1252/00 Mr. SR Chitnis, Sr. Adv.
Mr. Vishwajit Singh, Adv.
Mr. Chinmoy A. Kaladhar, Adv.

in SLP(Cr)1556/00 Mr. Shirish Gupte, Sr. Adv.
and 1562/00 Mr. Manoj Mohite, Adv.
Mr. Shivaji M. Jadhav, Adv.

in SLP(Cr)2311/00 Dr. Rajeev Dhawan, Sr. Adv.
Mr. Markand D. Adkar, Adv.
Mr. SD Singh, Adv.
Mr. Vishwajit Singh, Adv.

in WP(Cr)443/00 Mr. VB Joshi, Adv.

For Respondent Mr. RN Trivedi, ASG
CBI Mr. Ashok Srivastava, Adv.
Mr. P. Parmeswaran, Adv.

For State of Mr. Shridhar Y. Chitale
Maharashtra in Mr. SV Deshpande, Adv.
SLP(Cr)...CC5097/00

For State of Mr. HW Dhabe, Sr. Adv.
Maharashtra in Mr. S.V. Deshpande, Adv.
SLP(Cr)..CC5237/00 Mr. Manish Pitale, Adv.
Mr. Shridhar Chitale, Adv.

UPON hearing counsel the Court made the following
O R D E R

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In SLP(Cr)1251/2000@@
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Mr. Kotwal, learned senior counsel after addressing arguments in extenso submitted that this SLP may be allowed to be withdrawn as the petitioner would be advised to move the High Court to file an application for review as the High Court has not considered the challenge made by the petitioner against the charges framed against him. (Mr. Kotwal says that there was an application for discharge which had been dismissed and that was also challenged in the High Court). In view of the said stand adopted by Mr. Kotwal, we dismiss this SLP as withdrawn.

In SLP(Cr) 1252/2000@@
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Mr. SR Chitale, learned senior counsel after addressing arguments in extenso submitted that this SLP may be allowed to be withdrawn as the petitioner would be advised to move the High Court to file an application for review as the High Court has not considered the challenge made by the petitioner against the charges framed against him. The SLP is dismissed as withdrawn.

IN SLP(Cr) 1556, 1562/2000@@
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Mr. Shirish Gupte, learned senior counsel after addressing arguments in extenso submitted that this SLP may be allowed to be withdrawn as the petitioner would be advised to move the High Court to file an application for review as the High Court has not considered the challenge made by the petitioner against the charges framed against him. The SLP is dismissed as withdrawn.

IN SLP(Cr) 2311/2000, SLP(Cr)..CC5097, 5237/2000@@
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Heard Dr. Rajeev Dhawan, Ld. senior counsel at length.

If any party wants to file any affidavit, it can be done before the next date of hearing. List on 30th January, 2001 as part-heard for reply.

IN WP(CR) 443/2000@@

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Learned standing counsel for the State of Maharashtra submitted that he will ascertain the number of courts situate in the City of Mumbai for (1) the trials of offences under Prevention of Corruption Act; (2) Number of special courts situated in the State of Maharashtra, outside the City of Mumbai for the trial of

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offences under the Prevention of Corruption Act. The data must be provided to us before the next contesting date on an affidavit. Counter of the respondent, if any, shall be filed in the meanwhile. List on 13th February, 2001. hearing

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Hemalatha

(HK Bhatia)
Court Master

(Copy of the order may be issued today)