

ITEM NO.32 + 62

COURT NO.17

SECTION II-A

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

PETITION(S) FOR SPECIAL LEAVE TO APPEAL (CRL.) NO(S). 3399/2024

(Arising out of impugned final judgment and order dated 15-01-2024 in CRLA No. 2965/2021 passed by the High Court Of Judicature At Bombay At Aurangabad)

ASHOK MOTILAL KATARIYA & ORS.

Petitioner(s)

VERSUS

STATE OF MAHARASHTRA & ANR.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.59686/2024-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.59688/2024-EXEMPTION FROM FILING O.T.)

with

Petition(s) for Special Leave to Appeal (Crl.) No(s). 3572/2024

(IA No.63265/2024-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.63266/2024-EXEMPTION FROM FILING O.T.)

Date : 15-03-2024 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE SUDHANSHU DHULIA
HON'BLE MR. JUSTICE PRASANNA BHALACHANDRA VARALE

For Petitioner(s) Mr. Sidharth Luthra, Sr. Adv. (Item 32)
Mr. Kamlesh Ghumre, Adv.
Ms. Jaikriti S. Jadeja, AOR
Mr. Shivang Goel, Adv.

Mr. Dama Sheshadri Naidu, Sr. Adv. (Item 62)
Mr. Kamlesh Ghumre, Adv.
Ms. Jaikriti S. Jadeja, AOR
Mr. Shivang Goel, Adv.

For Respondent(s)

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

The argument of the petitioner is that the dispute between the

parties is primarily civil in nature. This fact has also been noticed by the High Court itself in its impugned orders.

Considering this fact, the petitioner is directed to deposit an amount of Rs.6 crores out of the entire alleged liability of 23 crores within a period four weeks. The amount shall be deposited in the Registry and thereafter will be put in an interest bearing account with a Nationalised Bank in fixed deposit initially for a period of six months thereafter to be renewed from time to time during the pendency of the present petition.

Issue notice returnable within four weeks.

In the meantime, there shall be stay of further proceedings pending before the Ld. Judicial Magistrate, First Class at Jalgaon, Maharashtra in respect of FIR No.219/2021.

(KAVITA PAHUJA)
COURT MASTER (SH)

(RENU BALA GAMBHIR)
COURT MASTER (NSH)