

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR

CRIMINAL APPELLATE JURISDICTION

CR. WRIT PETITION NO. 373 OF 2020

Namdev Parnji Herle And Anr.

.....Petitioners

VERSUS

M/s. Rajarambapu Patil Shahakari Dudh Sangh,
Marya. Islampur, Midc And Anr.

.....Respondents

None for Petitioners.

Mr. Amol Patil, for Respondent No.1.

Dr. Ashvini A. Takalkar, A.P.P. for Respondent No.2 - State.

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CORAM : ASHWIN D. BHOBE, J.

DATE : 12th OCTOBER, 2026.

P.C.

1. This Petition is of the year 2020 and is listed on today's board under the caption "For Disposal".

2. When this Petition was called out, none appeared on behalf of the Petitioners. The names of the Petitioners (1. Namdev Parnji Herle and 2 - Dilipkumar Machhindra Ingavale) and the Advocate on Record, Mr. Mehul Thakker, were again called out by the Court Sheristedar. However, none appeared, either physically or through VC. mode.

3. Mr. Amol Patil, learned Advocate for Respondent No.1, by referring to the order dated 5th October, 2026, submits that the non-appearance of the Petitioners or their Advocate even today indicates that the Petitioners are not interested in pursuing the present Petition. He, therefore, reiterates his request for dismissal of the Petition.

4. Dr. Ashvini A. Takalkar, learned A.P.P. for the Respondent – State, also endorses the submissions made by Mr. Amol Patil, learned Advocate for Respondent No.1.

5. On 5th October 2026, the following order was passed:

- “1. This Petition is of the year 2020.*
- 2. When this Petition was called out, neither the Petitioners nor the Advocate for the Petitioners were present.*
- 3. Mr. Amol Patil, learned Advocate for Respondent No.1, states that he had contacted the Advocate on Record for the Petitioners, Mr. Mehul Thakker, who informed him that he had returned the file to another Advocate, namely Ms. Shailaja Chavan. He states that he had also contacted the office of Ms. Shailaja Chavan.*
- 4. Today, when this Petition is called out, neither the Petitioners nor the Advocate for the Petitioners are present, either physically or through V.C. mode.*
- 5. Mr. Amol Patil, learned Advocate for the Respondent No.1, states that the Petition itself is not maintainable, as the*

order challenged before this Court is an order issuing process, against which a Criminal Revision Application is maintainable before the Sessions Court at the first instance. He therefore insists upon dismissal of the Petition for non-prosecution.

6. In view of the absence of the Petitioners / the Advocate for the Petitioners, in order to afford an opportunity to the Petitioners, list this matter on 12th October, 2026, under the caption “For Disposal”.

6. In view of the continued absence of the Petitioners and their Advocate, despite the opportunity afforded by this Court, this Court is left with no alternative but to accept the request made by Mr. Amol Patil, learned Advocate for Respondent No.1. Accordingly, the Petition is dismissed for non-prosecution.

7. Criminal Writ Petition No.373 of 2020 dismissed for non-prosecution.

(ASHWIN D. BHOBE, J.)