

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION**

VAIBHAV
RAMESH
JADHAV
Digitally signed by
VAIBHAV RAMESH
JADHAV
Date: 2026.09.11
15:32:57 +0530

CRIMINAL WRIT PETITION NO. 15 OF 2023

Namdev Parnji Harle & Anr. ... Petitioners
V/s.
Parswanath Co Operative Bank Ltd.,
Kolhapur & Anr. ... Respondents

None for the Petitioners.

Ms. S. N. Deshmukh, APP for the State.

CORAM : ASHWIN D. BHOBE, J.

DATED : SEPTEMBER 11, 2026

P.C.:

1. On 7th September 2026, the following order was passed:

“1. On 1st September 2026, the following order was passed:

“1. This Petition is of the year 2023.

2. When this Petition was called out, neither the Petitioners nor the Advocate for the Petitioners were present.

3. A perusal of the Petition indicates that the order impugned in the present Petition is an order dated 11th October, 2019, by which process has been issued against the Petitioners.

4. The records indicates that this Petition was lastly listed on 2nd February, 2023.

5. Ms. Shubhangi N. Deshmukh, learned A.P.P. for Respondent No.2 – State, submits that a copy of the Petition has not been furnished to the Office of the Public Prosecutor.

6. To afford an opportunity to the Petitioners / Advocate for the Petitioners to appear and argue the case, list this matter on 7th

September, 2026 under the caption “For Dismissal”.”

2. The reason for passing the said order and listing the matter under the caption “For Dismissal” was to afford an opportunity to the Petitioners / Advocate for the Petitioners to appear and pursue the present Petition. Today, when this Petition was called out, neither the Petitioners nor the Advocate for the Petitioners is present, despite the caution by way of listing the matter under the caption “For Dismissal”.

3. In the interest of justice, and to afford an opportunity to the Petitioners / Advocate for the Petitioners to appear and argue the matter, by way of a last opportunity, list this matter on 11th September 2026 “for disposal”. To be listed on supplementary board.”

2. Today, the names of Petitioner No. 1 (Namdev Parnji Harle) and Petitioner No. 2 (Dilipkumar Machindra Ingawle) and the Advocate-on-Record (Mr. Vishnu S. Chavan) were called out by the Court Sheristedar, however, neither the Petitioners nor the Advocate-on-Record for the Petitioners were present either physically or through V.C. mode.

3. Ms. S. N. Deshmukh, learned APP for the State, by referring to paragraphs 2 and 3 of the order dated 7th September 2026, submits that more than sufficient opportunities have been afforded to the Petitioners to appear and argue their case. She submits that this Petition is pending from the year 2023 and no efforts were made by the Petitioners to move this Petition. She, therefore, insists for dismissal of the Petition.

4. In view of the above, this Court is left with no other option but to

dismiss this Petition for non-prosecution.

5. Writ Petition No. 15 of 2023 is dismissed for non-prosecution.

(ASHWIN D. BHOBE, J.)