



Shailaja

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION [STAMP] NO.12823 OF 2024

Godrej Projects Development and another] Petitioners
vs.
Zakir Ramzan Qureshi and others] Respondents

.....
Ms. Shaini Punamiya i/b Fox Mandal and Associates LLP, for
Petitioners.

.....
CORAM : PRITHVIRAJ K. CHAVAN, J.

DATE : 20th June, 2024.

P.C.

1. Not on board. Upon mentioning through praecipe, taken on board.

2. Learned Counsel for the petitioners invites my attention to an order passed by the Additional Sessions Judge, City Civil Court, Mumbai on 24th April, 2024 which, according to the Counsel is quite strange. The order is extracted below;

“**Business:** Advocate K.R. Shah for applicant present.
Adv. Punamia for respondent present. The matter is heard long back. However, for paucity of the time the

Court being heavily burden U newly established at Mazgaon. Therefore, as will today's total 99 matters reflected on daily board missing these twelve (12) matters (Six revisions along with six Miscellaneous Applications for stay which are not reflected otherwise the numbers of matters on today's board would be 111 therefore, I am not desirous to grant stay. Got I am hands cuffed. Therefore, though found those applications have been strongly resisted by the ld. Advocate Shanvi Punamiya. However, I am inclined to grant stay to the ld. Trial Court proceedings delay till final disposal of revision and next date in the revision would be 12-6-2021. Matter is adjourned to 12.06.2024 for hearing.

Next Purpose : Hearing

Next Hearing Date : 12-06-2024

COURT OF ADDL SESSIONS JUDGE”

3. The tone and tenor of the language is unwarranted and unacceptable, in the sense, the Judicial Officer should not have expressed his frustration and inability by using the words “handicapped” as well as non inclination to grant stay.

4. Be that as it may. It is of common knowledge that almost every Court is flooded with cases which does not mean that in genuine and proper cases also such reasons are given.

5. The learned Additional Sessions Judge is, therefore, directed to decide the following Revision Application

(1)Revision Application No.1232 of 2023,

(2)Revision Application No.1233 of 2023,

(3)Revision Application No.1234 of 2023

(4)Revision Application No.1235 of 2023

(5)Revision Application No.1236 of 2023 and

(6)Revision Application No.1237 of 2023

as expeditiously as possible and, in any case, within four weeks from the date of the order:

6. Due compliance shall be reported to his Court on 22nd July, 2024.

7. List on **22nd July, 2024** for “Further Directions”

[PRITHVIRAJ K. CHAVAN, J.]