

IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL WRIT PETITION NO. 122 OF 2009

MR. GEORGE BARRETTO

... Petitioner

Versus

ING VYSYA BANK LTD REPRESENTED BY
ITS VICE PRESIDENT AND BR. HEAD
SHRI RADHAKRISHNA KINI AND ANR.

... Respondent

Mr. G. Teles, Advocate for the Petitioner.

Mr. M.S. Joshi, Advocate for Respondent No.1.

Mr. C.A. Ferreira, Public Prosecutor for Respondent No.2.

Coram:- N. A. BRITTO, J.

Date:- 30th December, 2009

P.C.:

Heard.

2. The impugned order is hereby set aside, as it was passed without hearing the petitioner/accused. The Criminal Appeal is restored to file. Both the parties to appear before the learned Additional Sessions Judge on 4/01/2010 at 10.00 a.m. The learned Additional Sessions Judge is directed to dispose of the appeal after hearing both the parties and in accordance with law.

3. Writ Petition disposed of on the above terms. In the light of that nothing survives in Criminal Miscellaneous Application No. 375 of 2009 which is also disposed of. Authenticated copy be issued.

N. A. BRITTO, J.

NH