

Shripad Shivaram Kulkarni

Vs

State of Maharashtra

Criminal Miscellaneous Petition No. 4155 of 1979

(Syed M. Fazal Ali, D. A. Desai, JJ)

07.04.1980

JUDGMENT

FAZAL ALI, J. –

1. Let this petition be treated as review petition.
2. We have read the petition and heard Mr Shroff, counsel for the State. It appears that in this case, special leave petition was granted and criminal appeal was posted before a Bench. The attention of the Bench was not drawn to the fact that it was a case under Prevention of Corruption Act and therefore the appeal could not be disposed of as infructuous even if the accused had served out the sentence because the question of his service was involved. We therefore review our Order dated April 20, 1979 and direct the appeal to be reheard (See the judgment reported at (1980) 4 SCC 491 : 1981 SCC (Cri) 5).
3. Mr U.R. Lalit, Senior Advocate is requested to appear as amicus curiae for the accused with Mr V.N. Ganpule as an advocate.

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