

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 180 OF 2015
IN
CRIMINAL WRIT PETITION NO. 715 OF 2006

Shivaji Dnyanu Holkar. ... Applicant.
Versus
Muktabai Shivaji Holkar & anr. ... Respondents.

Mr. Rahul Shinde h/f. Mr. Vijaykumar R. Garad, advocate for
Applicant.

Ms. V.S. Mhaispurkar, APP for State.

CORAM : SMT. SADHANA S. JADHAV,J
DATE : SEPTEMBER 22, 2015

P.C.:

1 The Writ Petition is of the year 2006. On 25/6/2013 Writ
Petition was dismissed for want of prosecution. The application
seeking restoration of the said Writ Petition is filed on 18/3/2015.
No efforts were taken to take up the matter on board. The original
proceedings are of the year 2001. The ground raised in the
application seeking restoration is that there was miscommunication

between the applicant and his earlier advocate. The petitioner is challenging the order passed under Section 125 of the Code of Criminal Procedure, 1973. Section 125 of the Code of Criminal Procedure, 1973 is benevolent legislative. The application filed seeking condonation of delay does not even show the number of days to be condoned. No case is made out for restoration. The application for restoration stands dismissed and disposed of accordingly.

(SMT. SADHANA S. JADHAV,J)

CERTIFICATE

**Certified to be true and correct copy of the original signed
Judgment/order.**