

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CRIMINAL APPLICATION NO.3916 OF 2013
IN
CRIMINAL WRIT PETITION NO.745 OF 2012**

Mahadu s/o. Tukaram Ghuge	..	Applicant
Versus		
The State of Maharashtra & Ors.	..	Respondents

None for the applicant.

Mr.P.N. Kutti, A.P.P. for respondent/State.

CORAM : Z.A. HAQ, J.

DATED : 22.11.2016

P.C. :-

. None appeared for the applicant in the morning session. The matter was kept in the afternoon session. When the matter is called out again, none appeared for the applicant.

. The writ petition was dismissed on 17.06.2013 by the following order :-

"1. Nobody present for the petitioner. The record shows that this matter was called on 06.04.2013 and 17.04.2013 also. On those days also, nobody turned up for petitioner. The matter was filed on 08.08.2012, but even circulation was not obtained. As nobody is turning up, the matter stands dismissed for default and non-prosecution."

02. The petitioner filed an application praying for restoration of writ petition and as there is delay of about 14 days for filing application praying for restoration, this application praying for condonation of delay is filed. Considering the conduct of the petitioner as recorded in the order passed on 17.06.2013 and as the same conduct of the petitioner continues, it is clear that the applicant/petitioner is not interested in prosecuting the matter. The application is dismissed with costs of Rs.2000/- (Rupees Two Thousand) to be paid by the applicant to non-applicant No.1/State of Maharashtra.

[Z.A. HAQ, J.]