

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.104 OF 2016

M/s.Concept Pharmaceuticals Ltd. ... Applicant

Vs.

Raghu Raghav Balsaria & Ors. ... Respondents

Mr.Rohit Tiwari for the Applicant

Mr.A.D. Khamkedkar, APP, for Respondent – State

CORAM: **MRS.MRIDULA BHATKAR, J.**

DATE: **DECEMBER 2, 2016**

P.C.:

1. The learned Counsel for the applicant submits that the applicant tried to serve respondent Nos.1, 2 and 3, however, they refused. He has accordingly filed the sealed envelopes with the remark that respondent Nos.1, 2 and 3 have 'refused' to accept the service. So also, the packet sent to respondent No.4 has come back with remark "not claimed". As it is deemed to be a good service, the respondent Nos.1 to 4 are served. Respondent No.5 – State of Maharashtra, is represented by Mr.Khamkedkar, the learned APP.

2. This application is moved for restoration of the application i.e., Miscellaneous Applicaton No.966 of 2012, which was dismissed by the

learned Sessions Judge by his order dated 27.2.2015 on the ground of default.

3. Perused the Roznama. On previous dates, the advocate for the applicant was present. Also perused the roznama dated 25.9.2013, where the Court has recorded that the respondent/State has no objection to condone the delay and, therefore, the matter was fixed for filing affidavit of evidence. The affidavit of evidence was filed on 12.9.2014. Under such circumstances, the said application is restored to its original file.

4. Applicant to communicate this order to the respondent Nos.1 to 4.

(MRS.MRIDULA BHATKAR, J.)