

FARAD CONTINUATION SHEET

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.171 OF 2015
IN
CRIMINAL WRIT PETITION NO.2958 OF 2013

Office Notes, Office
memorandum of Coram,
appearances, Court's
orders or directions &
Registrar's orders.

Court's or
Judge's orders.

Shri P.D. Desai for the Applicants.
Mrs. S.V. Sonawane, APP for the Respondent No.1.

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CORAM : A.S. OKA & A.A.SAYED, JJ
DATED : 1ST OCTOBER 2016

P.C.:

. Criminal Application filed by the Applicants has been dismissed for non-prosecution on the ground of non supply of a spare copy for effecting service of notice to the second Respondent in the Writ Petition.

2. In view of the averments made in the Application, the Writ Petition deserves to be restored. Accordingly, the Application is allowed in terms of prayer clauses (a) and (b) subject to

condition that the Advocate for the Applicants will supply a spare copy for effecting service of notice to the second Respondent in the Writ Petition within a period of one month from today. If spare copy is not supplied within the stipulated time, the Petition shall stand dismissed for non-prosecution without further reference to the Court.

3. The first sentence of Paragraph 3 of the order dated 22nd July 2014 means that the interim relief has been granted in terms of prayer clause (b). Therefore, we restore the interim relief granted in terms of prayer clause (b).

4. If spare copy is supplied within the stipulated time, Rule notice be issued to the second Respondent.

(A.A. SAYED, J)

(A.S.OKA, J)