

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE JURISDICTION
CRIMINAL APPLICATION NO. 277 OF 2014
IN
CRIMINAL WRIT PETITION NO. 2589 OF 2013

Dattatray Kashinath SonwalkarApplicant
V/s.
The State of Maharashtra and othersRespondents

Mr. Ranjit Patil i/b Mr. Prashant Hagare Advocate for Applicant.
Ms. A. T. Jhaveri APP for the State.

CORAM : SMT. SADHANA S. JADHAV, J.
DATED : JUNE 17, 2016.

PC :

This is an application seeking restoration of the petition which was dismissed pursuant to conditional order passed by this Court (Coram : Smt. Sadhana S. Jadhav, J.) on 11/03/2014. Office objections were not removed within the stipulated period and hence, petition was dismissed for want of prosecution without further reference to the court.

2) There is a delay of 182 days in filing restoration application. It is specifically contended in the application that applicant could not approach Advocate for taking steps in the matter in time and resultantly petition was dismissed due to conditional order. It is further stated that in the application as

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follows:

“The applicant states that since the conditional order went unnoticed and resultantly Criminal Writ petition has been dismissed for want of prosecution. The applicant inquired with advocate for the applicant about the proceedings of the matter and after making inquiry with the concerned department it is informed to him about the dismissal of said Writ petition”.

3) It is apparent that both contentions are contrary to each other. Office objections are to be removed by the Advocate on record. In view of this, no plausible explanation has been offered for restoring petition.

4) Hence, application for restoration is rejected. Needless to say that Writ Petition No. 2589 of 2013 stands dismissed.

(SMT. SADHANA S. JADHAV, J.)