

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE SIDE JURISDICTION  
CRIMINAL APPLICATION NO. 608 OF 2015  
IN  
CRIMINAL APPLICATION NO. 320 OF 2014

Ghanzanfar Ali Khan

.....Applicant

V/s.

Badi U Z Zaman

....Respondent

Mr. M. A. Sayed i/b Mr. T. D. Joshi Advocate for Applicant.  
Mrs. A. A. Mane APP for the State.

**CORAM : SMT. SADHANA S. JADHAV, J.**  
**DATED : MARCH 31, 2016.**

**PC :**

Heard. This is an application seeking restoration of the application which was dismissed for want of prosecution by an order dated 27/02/2015.

2) Learned counsel for the applicant submits that he had filed an application seeking restoration of the said matter and recalling of the order of dismissal on 22/07/2015, however, the same could not be worked out due to inevitable circumstances. Learned counsel further submits that in spite of due diligence, he could not attend the matter on the assigned date and therefore, matter got dismissed for want of prosecution. It is further submitted that litigant should not be at loss due to difficulties of lawyer.

3) In view of this, application seeking restoration of the main application and recalling of the order deserves to be allowed in the interest of justice.

ism

- 4) Application is allowed in terms of prayer clause (a).
- 5) Application stands disposed of.

**(SMT. SADHANA S. JADHAV, J.)**