

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL APPLICATION NO.388 OF 2016
IN
CRIMINAL WRIT PETITION NO.1299 OF 2015**

Mrs.Prajakta Rajhans Desai ...Applicant

IN THE MATTER BETWEEN :

Mrs.Prajakta Rajhans Desai ...Petitioner

V/s.

Mr.Rajhans Krishna Desai & Anr. ...Respondents

Mr.Omkar K. Shaikh for the Applicant/Petitioner.

Mr.Kamlesh Mishra i/by Law Juris for Respondent No.1.

CORAM : K.K. TATED, J.

DATE : 21st OCTOBER, 2016.

P.C.

1. Heard the learned counsel for the parties.

2. This application is for restoration of Criminal Writ Petition No.1299 of 2015 which was stands dismissed for default by order dated 30th August 2016.

3. Considering the submissions made by the learned counsel for the applicant and averments made in the application, I

am satisfied that applicant has made out case for allowing the Application. Hence, following order.

ORDER

- (a) Order dated 30th August 2016 is recalled.
- (b) Criminal Writ Petition No.1299 of 2016 is restored to file for hearing on its own merits.
- (c) Criminal Application is disposed of accordingly.

(K.K. TATED, J.)