

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.1046 OF 2016
IN
WRIT PETITION NO.6537 OF 2011**

Hamid Mohammad Siddiq Khan	..Applicant
 In the matter between	
Hamid Mohammad Siddiq Khan	..Petitioner
Vs.	
The State of Maharashtra & Ors	..Respondents

Ms Madhu Lad i/b Udaipuri & Co. for the Applicant
Mr. S. D. Rayrikar AGP for the Respondent Nos.1 & 2
Mr. G. S. Godbole i/b Negandhi Shah & Himayatullah for the Respondent No.4

CORAM : R. M. SAVANT, J.
DATE : 3rd MAY, 2016

P.C.

1 The above Civil Application has been filed for restoration of the above Petition which has stood dismissed for non prosecution on account of the non appearance of the Learned Advocate for the Petitioner on 26-6-2015. The reasons for the non appearance of the Advocate are mentioned in the above Civil Application. The record discloses that even prior thereto i.e. on 22-6-2015, no appearance was put up on behalf of the Petitioner and therefore this Court was constrained to dismiss the Petition for non prosecution. Since the Petition has been dismissed for non prosecution, it would be just and proper to show one final indulgence to the Petitioner. The same would obviously be at the pains of imposing costs on the Petitioner. The Civil

Application is accordingly allowed, resultantly the Writ Petition is restored to file. The Petitioner to deposit costs of Rs.5000/- with the Maharashtra Legal Aid Fund within 4 weeks from date and produce the receipt of the same. The Civil Application is accordingly disposed of.

[R.M.SAVANT, J]