

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION  
**CRIMINAL APPLICATION NO. 1039 OF 2015**  
IN  
CRIMINAL APPLICATION NO. 3216 OF 2009

|                                      |     |             |
|--------------------------------------|-----|-------------|
| Amin Imamsaheb Inamdar               | ... | Applicant   |
| vs.                                  |     |             |
| Ashok Ramprasad Khandelwal & Ors.... |     | Respondents |

Mr. Samir Kumbhakoni, Advocate for the applicant.  
Ms. A.A.Mane, APP, for the State.

**CORAM: SMT. SADHANA S.JADHAV, J.**  
**DATE : 29th January, 2016.**

**P.C.**

This is an application seeking relief of recalling of the order dated 23.10.2015 passed by Hon'ble Justice Smt.Anuja Prabhudessai. The Hon'ble Court has specifically observed that on 11<sup>th</sup> September, 2015, the matter was adjourned to enable the learned Counsel for the applicant to seek instructions in respect of withdrawal of the application. On the next scheduled date, the learned counsel for the applicant did not remain present. Similarly, on 23.10.2015, also the learned counsel did not remain present and therefore the Court was pleased to dismiss the application. No satisfactory reasons are made out for recalling the order dated 23.10.2015.

In any case, the relief sought for is for seeking transfer of the Criminal Complaint No.100 of 1999 from the Court of Judicial Magistrate, First Class Narkhed, Dist. Nagpur to the Court of learned Judicial Magistrate First Class, Solapur. In all probabilities, the proceedings must have been terminated. The application is of the year 2009.

2. In view of this, the application seeking restoration deserves to be dismissed. Hence, the application is dismissed.

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