

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

CRIMINAL APPLICATION (APPP) NO. 666 OF 2016 IN APL NO.494/2015

(Shobhram Kawadu Khobragade Vs. The State of Maharashtra & another)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri Shashikant Borkar, Advocate for the applicant.
Shri S. D. Shirpurkar, A.P.P. for the State.

CORAM : S. B. SHUKRE, J.

DATED : 15 JULY, 2016

Learned Counsel for the applicant submits that when this matter was dismissed in default, respondent No.2 was not served. He further submits that the learned Counsel for the applicant was engaged in another matter before the Division Bench and that this fact could not be properly communicated to the Court.

Learned A.P.P., who appears after waiving the notice for respondent No.1-the State, submits that appropriate orders be passed in the matter.

Since this matter has been dismissed even before respondent No.2 could be served, there is no need to issue notice to respondent No.2 for deciding this application and, therefore, it is dispensed with.

Having considered the submission made before this Court by the learned Counsel for the applicant, I find that sufficient cause has been shown and the application deserves to be allowed.

The application is allowed.

Criminal Application (APL) No.494 of 2015 be restored to the original file of the Court and thereafter fresh notice be issued to respondent No.2.

Learned A.P.P. has already waived service of notice for respondent No.1.

JUDGE

CERTIFICATE

“I certify that this order uploaded is a true and correct copy of original signed order.”

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