

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**NAGPUR BENCH, NAGPUR.**

**CRIMINAL APPLICATION (APPP) No. 1197/2016**  
**WITH CRIMINAL APPLICATION (APPW) No. 133/2016**  
**IN CRIMINAL WRIT PETITION NO. 252/2016.**

Sanjay Mukundrao Deshmukh and others.

**-VERSUS-**

State of Maharashtra and others.

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Office notes, Office Memoranda of  
Coram, appearances, Court's orders  
or directions and Registrar's orders.

Court's or Judge's Orders

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**CORAM : B. P. DHARMADHIKARI**  
**& A.S. CHANDURKAR, JJ.**

**DATE : OCTOBER 19, 2016.**

Heard Y.N. Nayyar, learned Counsel  
for the applicants, Shri M. Khan, learned A.P.P.  
for non-applicant nos. 1 and 2 and Shri S.  
Borkute, learned Counsel for non-applicant no.3.

2. Criminal Writ Petition No. 252/2016  
came to be dismissed in default on 05.07.2016, as  
counsel for applicants/petitioners could not  
remain present. An application seeking  
condonation of delay of 25 days in moving an

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application seeking restoration of said writ petition, is, filed. The same is supported by affidavit of applicant. Reason given is, counsel was unable to remain present within time.

3. Though learned counsel appearing on behalf of non-applicants are opposing the prayers, as we do see any malafides, we condone the delay and for same reasons, allow restoration application also. Accordingly by recalling order dated 05.07.2016, Criminal Writ Petition No. 252/2016 is restored back to file.

4. Both the applications are accordingly allowed. No costs.

**JUDGE**

**JUDGE**

Rgd.

**CERTIFICATE**

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

Uploaded by : R.G. Dhuriya. Uploaded on : 20.10.2016  
Pvt. Sec.