

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD**

**CRIMINAL APPEAL NO.464 OF 2016**

Annasaheb Pandurang Shinde

.. Appellant

**Versus**

The State of Maharashtra  
and others

.. Respondents

Mr.Rahul B. Temak, Advocate for the appellant  
Mr.K.N. Lokhande, APP for the respondent No.1/State

**CORAM : V.L.ACHLIYA, J.**

**DATED : 21.04.2017**

**P.C. :-**

. Learned counsel for the appellant submits that he had conveyed to the appellant on mobile phone that he has to attend the court to file application seeking leave to file appeal and also informed that otherwise his appeal will be dismissed. In spite of communication made the appellant has not approached him. He further submits that he had send letter on 07.04.2017 and intimated the next date. In spite of that the appellant has not contacted him and therefore he is helpless. He submits that due to this reason he is unable to file application seeking leave to file an appeal as directed by this Court.

2. It seems that the appellant is not interested to prosecute the matter. The Advocate representing the appellant has taken all efforts to secure the presence of the appellant to file an application.

3. In this view I am inclined to dismiss the appeal due to default on the part of appellant to appear and to file application seeking leave to file appeal. The appeal stands disposed of.

4. De-tag the criminal application No.3896 of 2016 filed by the State of Maharashtra and list the same for hearing on 02.05.2017.

**[V.L.ACHLIYA,J.]**