

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.245 OF 2017
IN
CRIMINAL WRIT PETITION NO.3539 OF 2015

Sachin Dilip Shahane & Ors. Applicants
V/s.
Vaibhavi @ Pratisha Sachin Shahane & Anr. Respondents

Mr. Abhaykumar Apte for the Applicants.

Ms. Meghna Pujari, i/by Mr. Shriram S. Kulkarni, for Respondent No.1.

Mr. S.R. Aagarkar, A.P.P., for Respondent No.2-State.

CORAM : DR. SHALINI PHANSALKAR-JOSHI, J.

DATE : 18TH DECEMBER 2017.

P.C. :

1. Heard learned counsel for the Applicants, learned Counsel for Respondent No.1 and learned A.P.P. for Respondent No.2-State.

2. This is an application for setting aside order dated 12th April 2017 passed by this Court, thereby dismissing the Criminal Writ Petition No.3539 of 2015 for default. Learned counsel for the Applicants relies on the averments made in paragraph No.3 of the application, thereby giving sufficient cause for their absence before this Court when the impugned order came to be passed.

3. Learned counsel for Respondent No.1 and learned A.P.P. for Respondent No.2-State have no objection to set aside the order of dismissal. Accordingly, the order dated 12th April 2017, dismissing Writ Petition No.3539 of 2015, is set aside and the said Writ Petition is restored to its original file.

4. Hearing of Writ Petition No.3539 of 2015 is deferred till tomorrow on the request of learned counsel for Respondent No.1.

5. Writ Petition No.3539 of 2015 be placed on the Supplementary Board on 19th December 2017.

6. Criminal Application is disposed of in the above terms.

[DR. SHALINI PHANSALKAR-JOSHI, J.]