

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.1081 OF 2016
IN
CRIMINAL APPEAL NO.381 OF 2015**

M/s. Arti Company)...Applicant

**V/s.
State Of Maharashtra & Ors.)...Respondents**

Ms. Kshitija Sarangi, Advocate for the Applicant.

Ms. A.A.Takalkar, APP for the Respondent - State.

CORAM : A. M. BADAR, J.

DATE : 24th FEBRUARY 2017.

P.C. :

Heard learned counsel appearing for the Applicant/Appellant as well as learned APP for the Respondent No.1-State.

2 It is seen that Criminal Appeal qua Respondent No.3 was dismissed for want of prosecution in pursuant to the order dated 7.7.2016 passed by this Court whereby the Applicant/Appellant was directed to furnish fresh address of Respondent No.3 within a period of three weeks from the date of

said order. As fresh and correct address of Respondent No.3 was not furnished within a period of three weeks, Appeal qua Respondent No.3 came to be dismissed.

3 By this Application, the Applicant/Appellant is seeking restoration of the said appeal qua Original Respondent No.3. As the appeal is already admitted by this Court, as one more chance, one more opportunity is granted to the Appellant to serve Respondent No.3 by furnishing fresh and correct address by recalling the order dated 7.7.2016.

4 As such, application for restoration of the Appeal qua Respondent No.3 Sandeep Javhar Shah is allowed. The Applicant/Appellant to furnish fresh and correct address of Respondent No.3 with the Registry within a period of two weeks from today. If fresh and correct address is furnished within prescribed period, then issue notice to Respondent No.3 returnable after eight weeks. If within prescribed period fresh and correct address of Respondent No.3 is not furnished, then,

Appeal shall stand dismissed for want of prosecution qua
Respondent No.3 without reference to Court.

(A. M. BADAR, J.)