

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL APPLICATION NO. 544 OF 2016
IN
CRIMINAL REVISION APPLICATION (ST) NO. 443 OF 2015**

Surekha w/o Mr. Anil Kumar Tumma Applicant

Versus

Mr. Anil Kumar Tumma Respondent

Ms. Neha Pandey for Applicant.

Mr. Anil Kumar Tumma – Respondent present in Court.

Mr. P.H.Gaikwad, APP for State.

CORAM : K. K. TATED, J.
DATED : 9TH JUNE, 2017.

P.C.

Heard learned Counsel Ms. Neha Pandey for Applicant
and Respondent Mr. Anil Kumar Tumma – party in person.

2. This application is for recalling order dated 24th June, 2016 passed by this Court by which the Criminal Application No. 381 of 2015 stand dismissed for default and also for condonation of 18 days' delay in preferring the present Criminal Application.

3. Respondent – party in person submit that he do not have any objection, if the application is allowed.

4. Considering the submission made by the learned Counsel for Applicant and the averments made in Criminal Application, I am satisfied that Applicant has made out the case for allowing this Criminal Application. Hence, the following order.

ORDER

- (A) A delay in preferring application is condoned.
- (B) Order dated 24th June, 2016 passed by this Court in Criminal Application No. 381 of 2015 is recalled.
- (C) Criminal Application No. 381 of 2015 is restored to file for final hearing on merits.
- (D) No order as to costs.
- (E) Criminal Application stand disposed of accordingly.

(K.K.TATED, J.)