

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

CRIMINAL APPLICATION (APPP) NO. 1663 OF 2016 IN
CRIMINAL (PIL) NO. 6 OF 2015

(Kanhaiya s/o Hotumal Raheja vs. State of Maharashtra thr. its Principal Secretary, Revenue and Forest Department & Ors.)

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

Court's or Judge's orders.

**CORAM : B.P. DHARMADHIKARI &
ROHIT B. DEO, JJ.
JULY 05, 2017.**

Shri A.S. Fulzele, learned Acting GP appears for
respondent Nos. 1 to 4 & 19.

2. This application is taken out for recalling the order dated 17.11.2016, dismissing Criminal PIL No. 6 of 2015 in default.

3. Nobody appears for the applicant.

4. It appears that this Criminal Application itself was dismissed in default on 15.12.2016 and has been restored on 23.02.2017. It is thereafter being adjourned on one count or the other. As the cognizance was taken in public interest, the main PIL No. 6 of 2015 normally could not have been dismissed in default.

5. In this situation, we grant the prayer in Criminal Application No. 1663 of 2016, though the learned counsel

for the applicant is absent. Accordingly, the order dated 17.11.2016 is recalled and Criminal PIL No. 6 of 2015 is restored back to file.

6. As the matter was dismissed in default and it is not being diligently prosecuted thereafter, we direct the petitioner to deposit an amount of Rs.50,000/- (Rs. Fifty thousand only) with the Registry of this Court, within a period of two weeks from today to show his bonafides.

7. List Criminal PIL No. 6 of 2015 on 19.07.2017.

JUDGE

JUDGE

*GS.