

Vidya Amin.

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

**CRIMINAL APPLICATION NO. 465 OF 2018
IN
CRIMINAL WRIT PETITION NO. 1438 OF 2006**

Smita Sachin Gargate & Ors. ... Applicants

vs.

Sachin Shrikrishna Gargate & Ors. ... Respondents

Mr. Prafull B. Shah i/b. Mr. Gunjan Shah, Advocate for the applicants.

Ms. Gauri Velankar i/b. Mandar Limaye, Advocate for respondent no. 1.

Mrs. Rutuja Ambekar, APP for the respondent no. 2/State.

CORAM: Mrs.MRIDULA BHATKAR, J.

DATED: 29th October, 2018

P.C. :

Upon mentioning, taken on production board.

2. This Application is moved by the applicants for restoration of Writ Petition which was dismissed for non-prosecution by the order dated 26th September, 2018 passed by this Court.

3. The learned counsel for the applicants submitted that on 26th September, 2018 suddenly the board collapsed and he could not catch up and remain present on that day, therefore, the Petition was dismissed. He prays for restoration of the Writ Petition.

4. The learned counsel for the respondents present and submits to the order of the Court.
5. In view of the submissions, the order dated 26th September, 2018 is hereby set aside. Writ Petition is restored to its original file along with the interim orders, if any granted earlier.
6. Criminal Application is allowed and is disposed accordingly.

(MRIDULA BHATKAR, J.)