

Vidya Amin.

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

**CRIMINAL APPLICATION NO. 127 OF 2016
IN
APPEAL (St.) NO. 76 OF 2016**

Suresh Vyankati Chavan ... Applicant
VS.
The State of Maharashtra ... Respondent

Mr. Uday P. Warunjikar, Advocate for the applicant.
Mr. H.J. Dedhia, APP for the respondent-State.

**CORAM: Mr.S.S. SHINDE &
Mrs.MRIDULA BHATKAR, JJ..
DATED: 4th October, 2018**

P.C. :

1. This Application was dismissed for want of prosecution by order dated 29th November, 2017. We have appointed Advocate Mr. Uday Warunjikar to represent the appellant. In the interest of justice, we recall the order dated 29th November, 2017 and restore Criminal Application No. 127 of 2016 to its original file.

2. Since the applicant/appellant is in jail, there is delay in filing the Appeal. By delay in filing the Appeal, the applicant does not gain any advantage, on the contrary he is in jail. Therefore, the delay in filing the Appeal deserves to be condoned. Accordingly, delay is condoned.

3. Application stands disposed of.
4. The learned counsel Mr. Warunjikar appointed to represent the appellant to take steps forthwith pursuant to the order passed by this Court on 22nd August, 2017 so as to delete the name of appellant no. 2-Vithal Shriram Pawar. Steps to be taken during the course of the day.
5. Registry to register the Appeal during the course of the day.
6. List Appeal No. 301 of 2017 and Appeal (St.) No. 76 of 2016 for Final Hearing tomorrow, i.e., on 5th October, 2018.

(MRIDULA BHATKAR, J.)

(S.S. SHINDE, J.)