

Nalawade

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

**CRIMINAL APPLICATION NO.288 OF 2017
IN
CRIMINAL APPLICATION NO.903 OF 2015**

Bhimashankar M. Dhangapure ... Appellant.

V/s.

M.S.E.B. Solapur and anr. ... Respondents

Mr. Rushikesh Kale i/by V.V.Purwant for the Applicant.

Mr. A.R.Patil, APP. for the State.

CORAM : A.S.GADKARI, J.

DATE : 19th September, 2018

P.C.:

1. This is an application for restoration of Criminal Application No.903 of 2015 which was dismissed for non prosecution by an Order dated 5.4.2016.
2. The record indicates that, notice issued to respondent No.1 is duly served. Despite service none appears for respondent No.1.
3. There is a delay of 324 days in filing the present application. The said delay is condoned in the interest of justice subject to payment of cost of Rs.10,000/- to be paid by the applicant to the High Court Legal Aid Committee.

It is made clear that, payment of cost is condition precedent for condonation of delay.

4. In view of the above and for the reasons stated in the application delay is condoned and application is allowed in terms of prayer clause (b) and (c).

(A.S.GADKARI, J.)