

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL APPLICATION NO. 429 OF 2018****IN****CRIMINAL APPLICATION NO. 238 OF 2016**

Paras S. Chandaria

....Applicant.

Vs.

Vishal Arvind Upadhyay & Ors.

....Respondents.

Mr. A.D. Kango for the Applicant.

Ms. V.S. Mhaispurkar, APP for the Respondent-State.

None for the other Respondents.

CORAM : A. S. GADKARI, J.**DATE : 19th APRIL, 2018.****P.C.:-**

This is an Application for restoration of Criminal Application No. 238 of 2016, which was dismissed for non-prosecution by an Order dated 21st March, 2018.

2 Heard the learned counsel for the Applicant.

3 Mr. Kango, the learned counsel for the Applicant submitted that, he has already served the notice of the Application to the Respondent Nos. 1 to 3 and affidavit of service dated 12th April 2018, has been filed in that behalf. Despite service, none appears for the Respondent Nos. 1 to 3.

4 For the reasons stated in the Application, Application is allowed in terms of prayer clause (a).

(A.S. GADKARI, J.)