

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1007 OF 2018

IN

CRIMINAL APPLICATION NO.168 OF 2017

(For leave to Appeal - Private)

Mr.Dattatray Hanumant Sankpal ... **Applicant**

V/s.

Mr.Satish Prakash Dhumal & Anr. ... **Respondents**

.....

Mr.Paras Yadav i/b. Mr.Rushikesh G. Patil, Advocate for the Applicant.

Mr.P.H.Gaikwad-Patil, APP for the Respondent/State.

....

CORAM : A.M.BADAR J.

DATED : 11th OCTOBER 2018.

P.C. :

1 This is an application for restoration of Criminal Application bearing No.168 of 2017 which was dismissed for want of prosecution because of conditional Order dated 24th April 2018 passed by the co-ordinate Bench of this Court.

2 There is no necessity of issuing notice of this application to the respondent No.1 as at the time of dismissal of the Criminal Application bearing No.168 of 2017, the said respondent was not served.

3 Heard the learned Counsel appearing for the appellant/accused. He drew my attention to the letter dated 10/04/2018 addressed to the Registry of this Court and acknowledgment of the Registry thereon to the effect that spare copy was received by the Registry.

4 It is seen that in fact, the spare copy was also supplied to the Registry on 10/04/2018. As such, the following Order

ORDER

- (i) The Order dated 24th April 2018 passed on Criminal Application No.168 of 2017 is recalled and the said Criminal Application is restored to the file.
- (ii) The instant application is accordingly disposed of.

(A.M.BADAR J.)

Raju
Dattatraya
Gaikwad

Digitally signed by
Raju Dattatraya
Gaikwad
Date: 2018.10.12
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