

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

**CRIMINAL APPLICATION No.370 OF 2018
IN
CRIMINAL WRIT PETITION NO.590 OF 2004**

Santumal Assudomal Gogia ... Applicant

Vs.

Sub-Divisional Magistrate
Ulhasnagar Division, Ulhasnagar & Ors. ... Respondents

Mr.P.D. Dalvi for the Applicant
Mr.A.R. Patil, APP, for the Respondent – State
Mr.S.A. Malkani for Resp. No.4

CORAM: Mrs.MRIDULA BHATKAR, J.

DATED: OCTOBER 12, 2018

P.C.:

1. This application is moved by the applicant for recalling the order of this Court dismissing the Writ Petition dated 17.9.2018 for non-prosecution and for restoration of the Writ Petition.
2. The learned Counsel for the applicant submits that he was down with flu on 17.9.2018 and so, he could not attend the Court. His junior also failed to attend the Court on account of Ganesh festival.

3. The learned Counsel for Respondent No.4 submits to the orders of the court.
4. In view of the submissions of the learned Counsel, the order dated 17.9.2018 is hereby recalled and the Writ Petition is restored to file. List the Writ Petition on 7.12.2018.
5. Application is disposed of accordingly.

(MRIDULA BHATKAR, J.)