

Vidya Amin.

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

**CRIMINAL APPLICATION NO. 1171 OF 2018
IN
CRIMINAL APPLICATION No. 628 OF 2018**

Karthikeyan Palmanickam ... Applicant

VS.

Meenakshi Karthikeyan & Anr. ... Respondents

Mr. Nikhilesh Pote i/b. A.R. Sathyanarayanan, Advocate for the applicant.

Ms. Pallavi N. Dabolkar, APP for the respondent/State.

CORAM: Mrs.MRIDULA BHATKAR, J.

DATED: 28th November, 2018

P.C. :

This Application is moved by the applicant for restoration of Criminal Application No. 628 of 2018 which was dismissed by this Court by order dated 23rd August, 2018.

2. The learned counsel for the applicant produced the list of dates of the matters appearing on the official website of High Court, which shows that at Sr. No. 77 this matter was shown on 24th August, 2018. He submitted that however, the matter was preponed to 23rd August, 2018 which they were not aware of and hence the Application was dismissed for non-prosecution. The

learned counsel submitted that he has served the respondent through courier and produced service, which is taken on record.

3. In view of the submissions, the order of dismissal dated 23rd August, 2018 is recalled. Criminal Application No. 628 of 2018 is restored to its original file along with the interim orders passed therein.

4. Criminal Application No. 1171 of 2018 is allowed and is disposed of accordingly.

5. Place Criminal Application No. 628 of 2018 on 9th January, 2019.

(MRIDULA BHATKAR, J.)