

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

**CRIMINAL APPLICATION NO.1200 OF 2018
IN
CRIMINAL APPLICATION NO.1293 OF 2012**

Jairaj K. Sonawala

... Applicant

Vs.

State of Maharashtra & ors.

... Respondents

**WITH
CRIMINAL APPLICATION NO.1201 OF 2018
IN
CRIMINAL APPLICATION NO.1294 OF 2012**

**WITH
CRIMINAL APPLICATION NO.1202 OF 2018
IN
CRIMINAL APPLICATION NO.1295 OF 2012**

**WITH
CRIMINAL APPLICATION NO.1203 OF 2018
IN
CRIMINAL APPLICATION NO.1312 OF 2012**

Mrs.Racheeta Dhuru with Nehali Panchal I/b Nahush Shah Legal
for all the Applicants in all the Applications

Mr.Robin Jainsighani with Ms.Neha D. Dhuru I/b Mulla & Mulla &
Craigie B&C for Respondent Nos.2, 4 to 6, 8, 10 to 12, 14 to 18,
20, 22, 24, 26 to 28

Ms.Jacinta D'souza for Resp. No.25

**CORAM: Mrs.MRIDULA BHATKAR, J.
DATED: OCTOBER 12, 2018**

P.C.:

1. These applications are moved for restoration of the Criminal Applications which were dismissed on 14.9.2018 by this Court for non-prosecution.
2. It is submitted by the learned Counsel appearing for the applicants that they are prosecuting the matters since 2004 before the learned Magistrate and they have attended before the learned Magistrate on a number of occasions. It is submitted that on 14.9.2018, their Senior Counsel was not available on account of Ganesh immersion, however, his junior appeared but as she was not able to argue the matter, this Court dismissed the applications for non-prosecution. The learned Counsel undertake that hereafter, the applicants shall proceed with the matters on the scheduled dates.
3. Mr.Jaisinghani, learned Counsel for respondent Nos.2, 4 to 6, 8, 10 to 12, 14 to 18, 20, 22, 24, 26 to 28 as also the learned Counsel for respondent No.25 opposed the applications. Mr.Jaisinghani has submitted that on a number of occasions, the learned Counsel for the applicants remained absent, especially on

the earlier two occasions i.e., on 24.8.2018 when time was sought and again on 11.9.2018, the time was sought by the applicants and, therefore, this Court has rightly dismissed all the matters. He submits that if the matters are going to be restored, costs be imposed.

4. Heard submissions. Perused the applications for restoration. 14th September, 2018 was the day of Ganesh immersion. Thus, for the reasons stated in the applications, the criminal applications are restored with costs of Rs.3,000/- each in all the applications. The costs shall be paid on or before 16.10.2018 either directly to the respondent or through their Counsel. The main criminal applications be listed on Board on 28.11.2018.

5. All the applications for restoration stand disposed of accordingly.

(MRIDULA BHATKAR, J.)