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

**CRIMINAL APPLICATION NO. 619 OF 2017
IN
CRIMINAL REVISION APPLICATION NO. 571 OF 2008**

Sayed Mohd. Aslam

.....Applicant

V/s.

Bhawesh Engineering Prop Mr. Tilak
Dedhia and another

.....Respondents

Mr. M. S. Prasad for the applicant.

Mr. Tilak Dedhiya respondent no. 1 in person.

Mr. S. R. Shinde APP for the State.

CORAM : NITIN W. SAMBRE, J.

DATE : APRIL 12, 2018.

P.C.

This Court has dismissed the revision against the conviction of which restoration is sought by present application.

2 While protecting the applicant, applicant was put to condition of depositing cost of Rs. 25,000/- to the Legal Aid Committee which the applicant claimed to have complied with.

3 Respondent complainant appears in person and objects to the restoration.

4 Considering the fact that revision is against the conviction, it will be appropriate, in my opinion to grant an opportunity of hearing to the applicant to put forth his case against conviction. As such, application is allowed in terms of prayer clause (a) by recalling the order of dismissal of revision.

5 The assurance given by the learned counsel for the applicant, upon instructions that in case, if the revision is taken up for final hearing, the hearing of the revision will be promptly attended and no adjournment in the matter will be sought.

6 Revision-applicant shall pay cost of Rs. 10,000/- to the non applicant in addition to cost he has paid to Legal Aid Committee within period of 4 weeks to be deposited in this Court to which the non applicant will be entitled.

[NITIN W. SAMBRE, J.]