

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

Criminal Application (APPP) No.1037 of 2018 in Criminal Application (APPW)
No.131 of 2018 in Criminal Writ Petition No.578 of 2007 (D)
(Madhukar s/o. Sailu Kusma vs. State and Ors.)

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

Mr.H.P.Lingayat, Advocate for the petitioner/applicant.
Mr.S.J.Kadu, A.P.P. for respondents/State.

CORAM : P. N. DESHMUKH &
M. G. GIRATKAR, JJ.

DATE : 27.7.2018.

Heard.

Issue notice to the respondents.

Mr.S.J.Kadu, learned Additional Public
Prosecutor waives notice on behalf of respondents.

This is an application for condonation of delay of
38 days caused in filing of Misc. Civil Application (APPW)
No.131 of 2018 for restoration of Criminal Writ Petition
No.578 of 2007 which came to be dismissed in default by
order of this Court dt.13.4.2018.

Learned Counsel for the applicant submits that
he has good case on merits. For the grounds mentioned in
para 3 of the application, delay is found to be satisfactorily
explained; therefore, condoned. The application is allowed.

Misc. Civil Application (APPW) No.131 of 2018

Heard.

Issue notice to the respondents.

Mr.S.J.Kadu, learned Additional Public Prosecutor waives notice on behalf of respondents.

This application is for restoration of Criminal Writ Petition No.578 of 2007 dismissed in default by order of this Court dt.13.4.2018. For the grounds mentioned in para nos. 3 and 4 of the application, case is made out for restoration of the Criminal Writ Petition. Therefore, Misc. Civil Application No. 131 of 2018 is allowed.

Criminal Writ Petition No.578 of 2007 is restored on the file of this Court.

JUDGE

JUDGE

**jaiswal*