

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

**INTERIM APPLICATION NO.1 OF 2019
IN
CRIMINAL WRIT PETITION NO.715 OF 2019**

SOPANRAO PANDHARINATH NIKAM)...PETITIONER

V/s.

AJIT RELEKAR AND OTHERS)...RESPONDENTS

Mr.Uday Nighot, Advocate for the Applicant.

Mr.Amit Palkar, APP for the Respondent - State.

CORAM : A. M. BADAR, J.

DATE : 16th OCTOBER 2019

P.C. :

1 By this application, the petitioner is seeking restoration of the writ petition which was dismissed for want of prosecution after condoning delay of 39 days in filing the application for restoration.

2 On 19th July 2019, this court directed issuance of notice with a further direction to the petitioner to serve notice to the respondents through court as well as by private notice and to file affidavit of service before the returnable date.

3 Heard the learned counsel appearing for the applicant/petitioner. He submits that due to inadvertence, the affidavit of service was not filed and he would comply all office objections within the period of four weeks from today. The delay in filing the application is also explained by the applicant/petitioner. Considering the fact that the petition was dismissed for non-removal of office objections and as the learned counsel for the applicant/petitioner is willing to remove all office objections, the following order :

ORDER

- i) The application is allowed.
- ii) Delay is condoned.
- iii) Criminal Writ Petition No.715 of 2019 is restored to file.

(A. M. BADAR, J.)