

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1170 OF 2019

IN

CRIMINAL APPEAL NO.505 OF 2019

JATEEN CHOKSI

)...APPLICANT

V/s.

N. G. GAIKWAD AND ANOTHER

)...RESPONDENTS

Ms.Renuka Shelar i/b. Mr.S.B.Shelar, Advocate for the Applicant.

Mrs.S.V.Sonawane, APP for the Respondent - State.

**CORAM : INDRAJIT MAHANTY &
A. M. BADAR, JJ.**

DATE : 24th JULY 2019

P.C. :

1 Learned APP waives notice for respondent/State.
Heard the learned counsel appearing for the applicant/appellant
and perused the order dated 17th June 2019, by which, time was
granted to the applicant/appellant to remove office objections,
failing which it was directed that the appeal shall stand rejected
for want of prosecution.

2 The appeal was, accordingly, rejected for want of prosecution, due to non-removal of office objections by the learned counsel for the applicant/appellant.

3 On perusal of the instant application, we are of the considered opinion that the learned counsel for the applicant/appellant was prevented by sufficient cause for not taking necessary steps for removal of office objections, which has ultimately resulted in dismissal of the appeal for want of prosecution. Therefore, the order :

ORDER

- i) The application is allowed.
- ii) The order dated 17th June 2019 is recalled.
- iii) Criminal Appeal bearing No.505 of 2019 is restored to the file.
- iv) Time of two weeks is granted for removal of pending office objections in Criminal Appeal No.505 of 2019.
- v) The application is, accordingly, disposed off.

(A. M. BADAR, J.)

(INDRAJIT MAHANTY, J.)