

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

**CRIMINAL APPLICATION NO.1199 OF 2019  
IN  
CRIMINAL APPLICATION NO.433 OF 2019**

**Barkat Ali Shaukat Ali Khan : Applicant  
versus  
The State of Maharashtra & anr. : Respondents.**

**Mr. Mithilesh Mishra i/by Mr. Pradeep Dubey for the Applicant.  
Mr. A R Patil, APP for the Respondent/State.**

**CORAM : S. S. SHINDE, J  
DATE : 03<sup>rd</sup> October 2019**

**P.C.**

1 This application is filed for condonation of delay in filing the application and for restoration of Criminal Application No.433 of 2019 which has stood dismissed on account of the conditional order dated 18/06/2019.

2 By the said conditional order the applicant was directed to serve the 2<sup>nd</sup> Respondent before the returnable date i.e. 18/06/2019. The learned counsel for the Applicant submits that the applicant could not serve the 2<sup>nd</sup> Respondent within the time stipulated in the said order dated 18/06/2019 and consequently Criminal Application No.433 of 2019 came to be dismissed for non compliance. He further submits that the applicant has already served the 2<sup>nd</sup> Respondent.

3            Subject to further compliance of the order dated 18/06/2019, if any, within the a period of two weeks from today, Criminal Application No.1199 of 2019 is allowed. Criminal Application No.433 of 2019 is restored to its original file. List Criminal Application No.433 of 2019 on 16/10/2019. Criminal Application No.1199 of 2019 is accordingly disposed of.

**[S. S. SHINDE , J]**