

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

CRIMINAL APPLICATION (APPP) NO.1340/2019

AND

CRIMINAL APPLICATION (APPW) NO.201/2019

IN

CRIMINAL WRIT PETITION NO.365/2019

Ravindra Deviprasad Jaiswal

..VS..

The Buldhana Urban Cooperative Credit Society Ltd., Buldhana

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

Court's or Judge's Order

.....
Shri J.B.Gandhi, Counsel for the Applicant.
Shri S.S.Doifode, Addl.P.P. for the State.

CORAM : V.M.DESHPANDE, J.
DATED : SEPTEMBER 25, 2019.

1. Criminal Application No.1340/2019 is for condonation of delay in preferring Criminal Application No.201/2019 for restoration of Criminal Writ Petition No.365/2019. Delay is of 12 days.
2. The criminal writ petition was dismissed on 25.6.2019 for want of prosecution.
3. Heard learned counsel Shri J.B.Gandhi for the applicant and learned Additional Public Prosecutor Shri S.S.Doifode for the State.
4. Looking to fact that on very first date of appearance i.e. on 25.6.2019 learned counsel for the petitioner was absent and objections were not removed, the criminal writ petition was dismissed for want of prosecution with costs Rs.3,000/- by this

.....2/-

Court (Coram : Rohit B.Deo, J.). It was observed by the Court that if an application for restoration of the criminal writ petition is moved, Registry shall ensure that the order of payment of costs is complied with.

5. Learned counsel Shri J.B.Gandhi for the applicant, submitted that in pursuance to the said order, Rs.30,000/- is paid by the applicant by Demand Draft No.391011 dated 23.9.2019. Since the criminal writ petition was dismissed for non removal of office objections, Notice was not issued to non-applicant No.1. There is no necessity of issuance of Notice to non-applicant No.1.

6. After hearing learned counsel for the applicant and after perusing both applications, both applications are allowed. The delay is condoned. The criminal writ petition is restored to its original file and the said be placed for its admission in the next week.

7. Both criminal applications are disposed of accordingly.

JUDGE

!! BRW !!

...../-