

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

CRIMINAL APPLICATION [APPP] NO.1363 OF 2019

IN

CRIMINAL APPLICATION [APL] NO.470 OF 2015 [D]

[Sushilkumar s/o Ratanlal Khowal and others .vs. State of Maharashtra and one]

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

Court's or Judge's orders

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 Shri Thotange, Adv. h/f Shri M.G. Sarda, Adv. for applicants,
 Shri I.J. Damle, APP for non-applicant no.1-State,
 Shri Yash Venkatraman, Advocate for non-applicant no.2.

CORAM : MRS. SWAPNA JOSHI, J.

DATED : NOVEMBER 08, 2019.

This is an application filed by the applicants for restoration of Criminal Application (APL) No.470/2015.

The learned advocate for the applicants submits that as the applicant no.4 met with a severe accident on 15.5.2016, he received fracture injuries and therefore he was hospitalized and for that reason he was bedridden and therefore could not contact his counsel. It is submitted that in these circumstances, Criminal Application (APL) No.470/2015 came to be dismissed in default.

The learned counsel for the non-applicant no.2 opposed the said application.

For the reasons mentioned in the application and in the interest of justice, this application is allowed. Criminal Application (APL) No.470/2015 is restored to file.

Criminal Application stands disposed of.

Place Criminal Application (APL) No.470/2015 for final hearing as per its turn.

JUDGE

Gulande