

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CRIMINAL APPLICATION NO. 399 OF 2021
IN CRIMINAL APPLICATION NO.2511 OF 2018
WITH
CRIMINAL APPLICATION NO. 400 OF 2021
IN CRIMINAL APPLICATION NO.2476 OF 2018
IN CRIMINAL APPEAL NO. 635 OF 2018**

**VILAS PANDHARINATH GONDKAR
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

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Advocate for Applicant : Shri Jeevan R. Patil
APP for Respondents - State : Shri S. G. Sangle
Advocate for Appellants : Shri U. S. Malte

(in Cri. Appeal No.634/2020)

Advocate for Applicant No.1 : S/Shri Pratap Vikhe h/f Nitin Satpute
(in Cri. Appeal No. 634/2020)

Advocate for Applicant : Shri N. S. Shah h/f Shri S. V. Natu
(in Cri. Appeal No. 389/2018)

Advocate for Applicants : Shri S. R. Sapkal
(in Cri. Appeal No. 632/2020)

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**CORAM : RAVINDRA V. GHUGE AND
B. U. DEBADWAR, JJ.**

DATE : 08TH MARCH, 2021

PER COURT :

1. We have heard the learned advocate for the applicants.
The learned prosecutor and the learned advocates, who have
appeared on behalf of the respondents in the pending appeals,
oppose this application.

2. By this application, the applicants pray for recalling of
the conditional order dated 15-01-2021, vide which the applications

mentioned herein have been rejected on account of non-compliance of the order of this Court. Both these applications have been filed within limitation.

3. In view of the above, and for the reasons set out in the applications, the same are allowed. Consequentially, Criminal Application Nos. 2511 of 2018 and 2476 of 2018 are restored to the stage at which they were dismissed.

4. As such, copies for issuance of notices to the unserved respondents shall be supplied on or before 18-03-2021, failing which both the restored applications shall be once again dismissed on 19-03-2021, without reference to the Court and thereafter, no application for restoration would be entertained.

5. If the above directions are complied with, issue notices to the unserved respondents in both the applications, returnable on 01-04-2021.

(B. U. DEBADWAR, J.)

(RAVINDRA V. GHUGE, J.)