

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

CRIMINAL APPLICATION NO. 5740 OF 2017

Shaikh Mohd. Sultan Mohd. Yusuf .. Applicant

Versus

Ishrad Farooq Shaikh .. Respondent

Mr. Anil S. Shivpuje, Advocate for the Applicant (Absent).

CORAM : ANIL L. PANSARE, J.

DATED : 22nd JULY, 2022.

PER COURT:-

1. Perused the record. None appeared for the applicant. On 02.05.2018 following order was passed :

“1. None present for the applicant. It appears that office objection is not removed. The applicant to remove office objection before 07.06.2018, failing which necessary orders will be passed.

2. Stand over to 07.06.2018.”

2. The matter was thereafter listed on 10.07.2018, at that time also none appeared for the applicant and following order came to be passed.

“None present for the applicant. The applicant was absent on 2nd of May, 2018. The order was passed at that time for the removal of objection till next date. It was also observed that if the applicant fails to remove the office objections before 7.6.2018, the necessary order will be passed. It appears that the office objections are not still

removed. That means the applicant has lost interest in the matter. Hence, the application is hereby dismissed for want of prosecution.”

3. Thus, the application came to be dismissed for want of prosecution.

4. Thereafter, vide order dated 20.02.2019, the application filed by the applicant for restoration of application was allowed. The matter was then listed on 21.08.2019, wherein the following order came to be passed.

“When the matter is called out, no one else appeared on behalf of applicant.

2. In view of nature of the subject matter, stand over to 04-09-2019.”

5. Thus, none appeared for the applicant on 21.08.2019 also. Thereafter, the matter was listed on 04.09.2019, wherein notice came to be issued to the respondent. The application was then listed on 06.01.2020, where following order was passed.

“When the matter is called out, no one else appeared on behalf of applicant and sole-respondent.

2. In view of nature of the subject matter, stand over to 27.01.2020.”

6. Thus, the record shows that the applicant and his advocate have remained absent consistently. None appeared today as well. It is,

therefore, evident that the applicant is not interested in prosecuting his case. Accordingly, the application is dismissed for want of prosecution.

(ANIL L. PANSARE)
JUDGE

P.S.B.