

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

**INTERIM APPLICATION NO.499 OF 2022
IN
CRIMINAL APPEAL NO.134 OF 2006**

Securities and exchange Board of India .. Applicant/ Appellant
Versus
Baroda Agro Industries Ltd. And Ors. .. Respondents

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Ms.Sabina Ansari, Advocate for the Applicant/Appellant.
Ms.P.N. Dabholkar, APP for the Respondent – State.

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CORAM : PRAKASH D. NAIK, J.

DATED : MARCH 02, 2022.

P.C. :

This is an application for restoration of Criminal Appeal No.134 of 2006, which has been dismissed *vide* order dated 18th January, 2022.

2 Learned counsel for the applicant submits that the Appeal was listed on 12th July, 2021, and, this Court had noted that the previous advocate on record was elevated as Judge of this Court, and directed Registry to issue appropriate notice to the appellant. Subsequently, the Appeal was listed on 26th July, 2021. On that day, it was noted that notice was issued and service report was awaited. Learned counsel representing the applicant was appointed as an

advocate to represent the appellant. He filed the Vakaltnama on 4th August, 2021. On 10th August, 2021, the advocate for the appellant had appeared and requested for time to serve the respondents. The Court granted eight weeks time. Thereafter, the appellant attempted to serve the notice upon respondents, but, they were not available. Learned counsel for the applicant/appellant submits that appropriate steps would be taken for serving the respondents. Thereafter, the learned advocate representing the appellant met with an accident, and, was not able to attend the office. The Appeal was listed on 4th January, 2022. Learned counsel could not attend the proceedings on account of injuries.

3 Considering the aforesaid circumstances and in the interest of justice, criminal Appeal 134 of 2006, is restored to file.

4 Interim Application No.499 of 2022, stands disposed of accordingly;

5 Appeal be listed on 21st March, 2022.

6 Advocate for the applicant shall take steps for complying the office objections.

(PRAKASH D. NAIK, J.)