

1. This is an application for restoration of Criminal Writ Petition No. 1352 of 2005.
2. Writ Petition was listed on 18.09.2018. Since none was present for the petitioner, it was dismissed for none prosecution.
3. Learned advocate for the applicant submitted that this application was preferred immediately after order of dismissal. Matter was not attended inadvertently.

4. Learned counsel for respondent vehemently opposed restoration of writ petition. It is submitted that the petition was dismissed for none prosecution on 18.09.2018.. The applicant was not diligent. The applicant did not take steps for restoration of petition immediately.

5. The application for restoration was preferred immediately after dismissal of petition. For the reasons stated in the application and in the interest of justice, application can be allowed.

ORDER

- (i) Criminal Application No. 375 of 2018 is allowed.
- (ii) Order dated 18.09.2018 passed by this Court dismissing writ petition No.1353 of 2005 for none prosecution is recalled and writ petition 1353 of 2005 is restored along with interim orders.
- (iii) Criminal Writ Petition No. 1352 of 2005 be listed for hearing in due course.
- (iv) Application stands disposed of.

(PRAKASH D. NAIK, J.)