

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

**INTERIM APPLICATION NO.1370 OF 2023
IN
CRIMINAL APPLICATION NO.1167 OF 2017**

Aarti Ashok Thakur

.... Applicant

versus

State of Maharashtra & Anr.

.... Respondents

.....

- Mr. Aman Kothari i/b. Mr. Vaibhav G. Bagade, Advocate for Applicant.
- Mr. N. B. Patil, APP for the State/Respondent.
- Mr. Prashant Suryawanshi i/b. Mr. Gajanan M. Savagave, Advocate for Respondent No.2.

**CORAM : SARANG V. KOTWAL, J.
DATE : 09th JUNE, 2023**

P.C. :

1. This is an application for restoration of the Criminal Application No.1167 of 2017.

2. Heard Mr. Aman Kothari, learned counsel for the Applicant, Mr. Prashant Suryawanshi learned counsel for Respondent No.2. and Mr. N. B. Patil, learned APP for the State.

3. Leave to amend to correct the description of the application in the prayer clause (a). Amendment to be carried out forthwith.
4. The original application was circulated at the instance of the Respondent No.2 on 13/01/2023 and nobody had appeared in the application. On the next date i.e. 27/01/2023 again nobody appeared for Applicant and therefore the original application came to be dismissed.
5. Learned counsel for the Applicant submitted that the Respondent No.2 had not given any notice for circulation to the Applicant and though the matter was shown on the board, it skipped the attention of the advocate. He further submitted that since March 2023 the mother of the Advocate on record was not well and she passed away in April 2023.
6. Considering all these submissions, though learned

counsel for Respondent No.2 has opposed restoration of this application, in the interest of justice with a view to decide the main application on merits, the Criminal Application No.1167 of 2017 is restored to its file.

7. It is made clear that the ad-interim relief granted earlier is not specifically continued. The question of the interim/ ad-interim relief, shall be considered on the next occasion. The restored application be placed on board for admission on 12/07/2023.

8. The Interim Application is disposed of.

(SARANG V. KOTWAL, J.)