

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

CRIMINAL INTERIM APPLICATION NO. 4281 OF 2022
IN
CRIMINAL WRIT PETITION NO. 1311 OF 2015

Ankush Shanti Prasad Makharia ...Applicant
Versus
The State Of Maharashtra & Anr. ...Respondents

Mr. Bavel Singh i/b Ms. Riya Jain for the Applicant

Mr. Y. M. Nakhwa, A.P.P for the Respondent No.1-State

None for the Respondent No. 2

CORAM : REVATI MOHITE DERE &
PRITHVIRAJ K. CHAVAN, JJ.
TUESDAY, 21st FEBRUARY 2023

P.C :

1 Heard learned counsel for the parties.

2 By this interim application, the applicant seeks recall of the
order dated 29.11.2022, passed by this Court by which the aforesaid

petition was dismissed for non-prosecution, as none was present on behalf of the petitioner and prays for restoration of the said petition.

3 For the reasons set out in the application, the application is allowed and the order dated 29.11.2022, is recalled and Writ Petition No. 1311/2015, is restored back to its original file, subject to payment of costs of Rs.10,000/-. The said cost to be deposited by the petitioner with the Kirtikar Law Library, Mumbai, within one week from today.

4 Interim Application is accordingly disposed of.

5 Criminal Writ Petition No. 1311/2015 be listed on 06.03.2023.

PRITHVIRAJ K. CHAVAN, J.

REVATI MOHITE DERE, J.