

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****INTERIM APPLICATION NO. 2334 OF 2024
IN
CRIMINAL WRIT PETITION NO. 3108 OF 2012**

Kaka Shidu Jadhav & Ors.

... Applicants

V/s.

The State of Maharashtra & Anr.

... Respondents

Mr. Vivek B. Rane i/b Mr. Vijay Killedar for Applicants.

Mr. V.A. Kulkarni, A.P.P. for Respondent No.1-State.

Mr. Chandrakant P. Yadav for Respondent No.2.

**CORAM : A. S. GADKARI AND
DR. NEELA GOKHALE, JJ.****DATE : 21st June 2024.****P.C. :**

(1) This is an Application for restoration of Criminal Writ Petition No.3108 of 2012, which was dismissed for non-prosecution by Order 7th September 2023.

(1.1) There is delay of 210 days in preferring present Application.

(2) Mr. Yadav, learned Advocate appearing for Respondent No.2 opposed the Application and submitted that, no proper explanation for condonation of said delay is offered by the Applicants and therefore delay may not be condoned and the Application may be dismissed.

(3) However, at the profused pleadings and on submission made by

the learned counsel for the Applicants on instructions that, the Applicants are ready and willing to pay a cost of Rs.5,000/- for condonation of delay, we are inclined to condone delay and restore the Criminal Writ Petition No.3108 of 2012.

(4) In view thereof, on payment of cost of Rs.5,000/- to Kirtikar Law Library, High Court, Mumbai, within a period of two weeks from the date of uploading this Order on the Official Website of High Court of Bombay, delay is condoned and the Application is allowed in terms of prayer clauses (a) and (b).

(DR. NEELA GOKHALE, J.)

(A.S. GADKARI, J.)

RAJESH
VASANT
CHITTEWAN

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