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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 1039 OF 2024
IN
WRIT PETITION NO. 4058 OF 2016**

Dax Vanbuerle & Anr. ...Applicants
Versus
The State of Maharashtra & Anr. ...Respondents

Mr. Umesh J. Desai for the Applicants.
Mr. V.A. Kulkarni, APP for the Respondent.

**CORAM : PRAKASH D. NAIK &
N. R. BORKAR, JJ.
DATE : 12.03.2024.**

PC:-

1. Not on board. Taken on board.
2. This is an application for restoration of Writ Petition No.4058 of 2016. The petition has been dismissed for want of prosecution vide order dated 09.02.2024.
3. Learned Advocate for the applicants submitted that the notice of today's hearing of this application has been forwarded to respondent No.2. The photocopy of the notice is placed on record.
4. It is submitted that the applicants/petitioners were not present before the Court on 09.02.2024 as the

respondent/complainant had filed the Interim Application No. 4774 of 2023, which was moved on 09.02.2024 without giving notice to the applicants/petitioners. It is also submitted that vide order dated 13.12.2016, this Court had directed that charge-sheet shall not be filed till the next date, which interim order has been extended subsequently.

5. Considering the aforesaid circumstances, Criminal Writ Petition No. 4058 of 2016 is restored to the file along with interim order passed therein.

6. List Criminal Writ Petition No.4058 of 2016 on 22.04.2024.

7. Interim Application is disposed of.

(N.R. BORKAR, J.)

(PRAKASH D. NAIK, J.)