

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****INTERIM APPLICATION NO. 1574 OF 2024****IN****CRIMINAL WRIT PETITION NO. 4636 OF 2013**

Rajeev Atmaram Prabhu & Ors.

... Applicants/Petitioners

V/s.

The State of Maharashtra & Ors.

... Respondents

Ms. Sonia Prabhu for Applicants/Petitioners.

Ms. M.M. Deshmukh, Addl. PP for Respondent-State.

**CORAM : A. S. GADKARI AND
SHYAM C. CHANDAK, JJ.****DATE : 8th May 2024.****P.C. :**

1) Present Application is restored by an Order of even date passed in Interim Application No. 1972 of 2024.

2) Present Application is for restoration of Writ Petition No. 4636 of 2013 which was dismissed for non prosecution by Order dated 23rd October 2023. There is a delay of 133 days in preferring present Application.

3) Learned Advocate for Applicant submitted that, for condonation of delay the Applicants are ready and willing to pay a cost of Rs.4000/- to the Advocates' Association of Western India Generation Next Fund, Mumbai, within a period of two weeks from the date of uploading of Order. The said

statement is accepted as an undertaking given to this Court.

4) We therefore direct the Applicants to pay a cost of Rs.4,000/- to the Advocates' Association of Western India Generation Next Fund, Mumbai, within a period of two weeks from the date of uploading of present Order on the official website of Bombay High Court.

4.1) Details of the bank account for payment of cost are as under :-

Account Name :- Advocates Association of Western
India Generation Next.

Account Number :- 000110110007807.

Bank Name :- Bank of India.

Branch Name :- Mumbai Main.

IFSC Code :- BKID0000001.

5) Perusal of Application would indicate that, sufficient cause is made out for restoration of Writ Petition No. 4636 of 2013.

6) Subject to payment of cost as noted above, delay is condoned and Application is allowed in terms of prayer Clauses (a) & (e).

(SHYAM C. CHANDAK, J.)

(A.S. GADKARI, J.)

OMKAR
SHIVAHAR
KUMBHAKARN

Digitally signed
by OMKAR
SHIVAHAR
KUMBHAKARN
Date:
2024.05.09
18:13:14 +0530