

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****INTERIM APPLICATION NO. 1757 OF 2024
IN
CRIMINAL WRIT PETITION NO. 4969 OF 2017**

Kishore Kumar Sahoo

... Applicant

V/s.

The State of Maharashtra & Ors.

... Respondents

Mr. R.C. Mishra a/w Mr. Avinash Pande for Applicant.

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

**CORAM : A. S. GADKARI AND
SHYAM C. CHANDAK, JJ.****DATE : 23rd APRIL 2024****P.C. :**

(1) This is an Application for restoration of Criminal Writ Petition No.4969 of 2017, which was dismissed for non-prosecution by Order dated 12th February, 2024.

(1.1) There is a delay of 9 days in preferring the present Application.

(2) The Order dated 12th February, 2024 is self eloquent, giving brief reasons for dismissal of the Petition. However, at the profused pleadings and on instructions, a statement is made by learned counsel for Applicant that, Applicant will pay a cost of Rs.10,000/- to the Advocates' Association of Western India Generation Next Fund, Mumbai for condonation of delay and restoration of Petition, we are inclined to condone delay. The said statement

is accepted as an undertaking given to this Court.

(3) We therefore direct the Applicant to pay a cost of Rs.10,000/- 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.

(3.1) 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.

(3.2) Applicant to deposit the said cost of Rs.10,000/- within stipulated period as noted above and submit receipt of the same in the Registry of this Court.

(4) In view of above and subject to payment of cost, Application is allowed in terms of prayer clauses (a), (b) and (c).

(SHYAM C. CHANDAK, J.)

(A.S. GADKARI, J.)

RAJESH
VASANT
CHITTEWAN

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Date: 2024.05.07
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