

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

**INTERIM APPLICATION NO. 1969 OF 2024
IN
CRIMINAL WRIT PETITION NO. 2223 OF 2013**

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Rambhaben Shamji Shah and anr. Applicants

v/s.

The State of Maharashtra and ors. Respondents

Dr. Abhinav Chandrachud a/w. Mr. Saurabh Utangale i/b.

M/s. Utangale and Co. for the Applicants.

Mr. J.P. Yagnik, APP for the State.

Mr. Vishal Patil for Respondent No.2.

**CORAM: A.S. GADKARI AND
SHYAM C. CHANDAK, JJ.**

DATED : 07th MAY, 2024.

P. C. :-

1) This is an Application for restoration of Criminal Writ Petition No.2223 of 2013 which was dismissed for non-prosecution by Order dated 23rd October, 2023.

1.1) There is delay of 180 days in preferring present Application.

2) Learned Advocate appearing for Respondent No.2 opposed the Application and submitted that, proper explanation for condonation of delay is not offered by the Applicants and therefore the Application may not be entertained.

3) Learned counsel for the Applicants submitted that, for condoning the delay the Applicants are ready and willing to pay a cost of Rs.5,000/- to the Advocates' Association of Western India Generation Next

Fund, Mumbai within a period of two weeks from the date of uploading of the Present Order on the official website of High Court of Bombay. The said statement is accepted as an undertaking given to this Court.

4) We therefore direct the Applicants to pay a cost of Rs.5,000/- 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 High Court, Bombay.

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 Number :- Bank of India.
Branch Name :- Mumbai Main.
IFSC Code :- BKID0000001.

4.2) Applicants to deposit the said cost of Rs.5,000/- within the aforesaid stipulated period and submit receipt of the same in the Registry of this Court.

5) In view of the statement made by the learned counsel for the Applicants and for the reasons stated in the Application, the delay is condoned and Application is allowed in terms of prayer clauses (a) and (b).

(SHYAM C. CHANDAK, J.)

(A.S. GADKARI, J.)