

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

**INTERIM APPLICATION NO. 873 OF 2024
WITH
INTERIM APPLICATION NO. 874 OF 2024
IN
CRIMINAL WRIT PETITION NO. 1711 OF 2023**

Kshitiz Choudhary S/o Gopal Singh And Ors. ...Applicants
Versus
State Of Maharashtra And Anr. ...Respondents

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Mr. Nitin Satpute a/w Mr. Arti Bajpai, Mr. Deepak Jaydev, Advocate for the Applicants.

Mr. V. A. Kulkarni, APP for the Respondent – State.

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

DATE : 27th FEBRUARY, 2024.

P.C.:

1. Not on board. Taken on board.
2. These interim applications are preferred for restoration of Criminal Writ Petition No.1711 of 2023 and condonation of delay in preferring application which has been dismissed for want of prosecution in view of conditional Order dated 4th May, 2023 passed by this Court.
3. Vide Order dated 4th May, 2023, it was recorded that the Petitioners did not supply spare copies of Petition for service of notice upon Respondent No.2 and hence notice is not issued. The

Advocate for the Petitioners was directed to supply spare copy of complete compilation Petition in the registry within a period of two weeks, failing which the Petition shall stand dismissed without further reference to the Court.

4. Apparently the spare copies were not supplied and hence the conditional order came into operation and the Petition was dismissed. There is a delay about 87 days in preferring this Application.

5. Learned Advocate for the Applicants submitted that the office objections could not be removed due to inadvertence. There is no deliberate inaction on the part of the Advocate for the Petitioners. For the reasons stated in these Applications and in the interest of justice the delay in preferring the Application for restoration is condoned and Criminal Writ Petition No.1711 of 2023 is restored to file.

6. Spare copy be supplied in the registry within two weeks. On receipt of spare copy, notice be issued to Respondent No.2, returnable on 11th June, 2024.

7. Interim Application No.873 of 2024 and Interim Application No.874 of 2024 stand disposed off.

(N. R. BORKAR, J.)

(PRAKASH D. NAIK, J.)