

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****INTERIM APPLICATION NO. 2203 OF 2024****IN****CRIMINAL WRIT PETITION NO. 2002 OF 2021**

Shri. Prakash Ashruba Hiwale

...Applicant/
Petitioner

Vs.

The State of Maharashtra & Anr.

...Respondents

Mr. Gautam Pyarelal for the Applicant/Petitioner.

Mr. V. N. Sagare, APP for Respondent No. 1-State.

**CORAM : A. S. GADKARI AND
DR. NEELA GOKHALE, JJ.****DATE : 18th JUNE 2024****P.C.:-**

- 1) This is an Application for recalling the Order dated 30th August 2023 and for restoration of Criminal Writ Petition No. 2002 of 2021.
- 2) Record indicates that, by an Order dated 30th August 2023, this Court had issued notice to the Respondents. The Petitioner was directed to supply spare copies in the Registry for effecting service within a period of two weeks from the date of said order, failing which the Petition to stand dismissed without further reference to this Court.
- 3) As the Petitioner failed to supply spare copies in the Registry within the stipulated period, the said conditional Order dated 30th August 2023 has come into effect and the Petition stood

dismissed as of today.

4) Learned Advocate for the Petitioner submitted that, due to miscommunication and misinterpretation of the Order dated 30th August 2023, he could not supply spare copies in the Registry within the stipulated period. That, if the Court restores the Petition, he will supply the spare copies within two weeks from the date of uploading of the present order on the official website of Bombay High Court.

5) In view thereof, subject to payment of cost of Rs. 5,000/-, to be paid to Kirtikar Law Library, Bombay High Court within a period of one week from the date of uploading of present order, Application is allowed in terms of prayer clause (a).

6) The Petitioner is directed to supply spare copies in the Registry within two weeks from the date of payment of costs to the said Library, failing which the Petition shall stand dismissed without further reference to this Court.

(DR. NEELA GOKHALE, J.)

(A. S. GADKARI, J.)

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