

WITH
ALS(ST) NO.22060 OF 2023
WITH
INTERIM APPLICATION NO.4615 OF 2023
IN
ALS(ST) NO.22060 OF 2023

State of Maharashtra .. Applicant

Versus

Hareshshgiri Gunwantgiri Goswami .. Respondents
& Ors.

...

Mr.Vipin Bidkar for the Appellant/Applicant in APEAL/
1002/23 and IA/3080/23.

Mr.Pandit Kasar for the Appellant/Applicant in APEAL/
786/23 and IA/1347/24.

Mrs.M.M.Deshmukh, A.P.P. for the State/Respondent.

...

CORAM: BHARATI DANGRE &
MANJUSHA DESHPANDE, JJ.
DATED : 26th AUGUST, 2024

P.C:-

INTERIM APPLICATION NO.1347 OF 2024

1. Interim Application No.1347 of 2024 is not on Board.
Upon mentioning, taken on board.

2. On 28/02/2024, the Division Bench of this Court dismissed Interim Application No.3362 of 2023 for want of prosecution, by recording that the Applicant had not carried

out necessary amendment, thereby indicating that he was not interested in pursuing the application.

Interim Application No.1347 of 2024 seeks restoration of that interim application.

3. We have heard the learned counsel for the Applicant and perused the Application.

Paragraph 4 of the Application specifically state that the Advocate representing the Applicant was not present before the Court, as he was before some other bench and the absence was not deliberate or intentional.

Accepting the aforesaid statement and on being satisfied with the bonafides of the reasons and since the party should not be made to suffer for the fault on part of his Advocate, we deem it appropriate to allow the Application.

4. Interim Application No.1347 of 2024 is allowed. Interim Application No.3362 of 2023 is restored to its file. While restoring the Interim Application, we direct the learned counsel to file the notes of evidence on record.

To be listed, after compliance, on 23/09/2024.

(MANJUSHA DESHPANDE, J.)

(BHARATI DANGRE, J.)