

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

***CRIMINAL APPLICATION NO.2431 OF 2024
IN
CRIMINAL WRIT PETITION NO.2079 OF 2010***

Kisan Raju Mistry

.... Applicant

Versus

The State of Maharashtra

.... Respondent

.....

Mr.R.K. Mendadkar, Advocate for the Applicant.

Dr.Ashvini A. Takalkar, APP for Respondent-State.

PSI Mangesh Mayekar, RCF Police Station, Mumbai, present.

.....

***CORAM : BHARATI DANGRE &
MANJUSA DESHPANDE, JJ.***

DATED : 1st JULY 2024.

P.C. :

1 Heard learned counsel Mr.Mendadkar for the applicant. The application is filed being aggrieved by the order dated 31st August, 2023, when the petition which is already admitted by this Court on 8th June, 2011, was dismissed for want of prosecution.

 Upon hearing the learned counsel and perusal of the reasons stated in the application, and in particular paragraph nos.5 and 6, we are satisfied that the petition deserves its restoration, subject to payment of cost of Rs.10,000/- to Kirtikar Law Library, Mumbai, to be deposited within a period of one week from today.

Rajeshri Aher

2 Upon the petition being restored, let the learned APP obtain necessary instructions since it is noticed that since 2011 there is an interim relief operating in favour of the petition.

3 Re-notify on 10th **July, 2024**. To be listed High on Board.

(MANJUSHA DESHPANDE, J.)

(BHARATI DANGRE, J.)