

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

**INTERIM APPLICATION NO. 2750 OF 2024
WITH
INTERIM APPLICATION NO. 2751 OF 2024**

IN

CRIMINAL WRIT PETITION NO. 2059 OF 2023

Jayantibhai Tarikbhai Vaghela

.....Applicant

Vs.

Mahendra Jugraj Gandhi & Ors.

.....Respondents

Mr. Mayur Vinod Faria a/w. Adv. Harshal Hasmukh Savla for the Applicant.
Smt. M.H. Mhatre, APP, for the Respondent-State.

**CORAM : A. S. GADKARI AND
DR. NEELA GOKHALE, JJ.
DATE : 18th JULY, 2024.**

P.C.:-

- 1) Interim Application No.2750 of 2024 is for condonation of 305 days delay in filing Application No.2751 of 2024 for restoration of Criminal Writ Petition No.2059 of 2023, which was dismissed for want of prosecution as the Applicant/Petitioner did not comply with the directions issued in paragraph No.2 of the conditional Order dated 7th July, 2023.
- 2) Mr. Faria, learned counsel for the Applicant on instructions submitted that, for condonation of the said delay in filling the Application, the Applicant is willing to pay a cost of Rs.5,000/- to Kirtikar Law Library,

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

3) Subject to payment of cost, delay is condoned and Application No.2750 of 2024 is allowed in terms of prayer clause (A).

4) Applicant/Petitioner is directed to comply with the directions issued in paragraph No.2 of the Order dated 7th July, 2023 within a period of two weeks from the date of payment of cost as noted above.

5) Application No.2751 of 2024 is accordingly allowed in terms of prayer clauses (A) and (C).

(DR. NEELA GOKHALE, J.)

(A.S. GADKARI, J.)