

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO.2806 OF 2024
IN
CRIMINAL APPEAL NO.1051 OF 2019

Union of India

.. Applicant

Versus

M/s Shapoorji Pallonji & Co. Pvt. Ltd. .. Respondents
& Ors.

...

Mr.Satya Prakash with Mr.Amit Hargude for the Applicant.

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

Mr.Shehzad A.K.Najam-es-Sani i/b Maneksha & Sethna for
Respondent No.1.

...

CORAM: BHARATI DANGRE &
MANJUSHA DESHPANDE, JJ.
DATED : 30th JULY, 2024

P.C:-

1. The present Interim Application seeks restoration of Cri.Appeal No.1051 of 2019 at the instance of Union of India through the Deputy Director, Directorate of Enforcement, as the Appeal was dismissed for want of prosecution on the given date.

2. We have heard the learned counsel for Union of India and perused the Application.

The Application has specifically set out that though the matter was directed to be listed on 16/07/2024 as per the website, it appeared on the Board on 11/07/2024 and it was dismissed on 12/07/2024, as the counsel was not present on the said date of hearing, though he was diligently following the matter on the earlier dates.

On being satisfied with the *bona fides*, we are inclined to allow the Application and restore the Appeal, subject to deposit Rs.Ten Thousand Only (Rs.10,000/-) towards cost, with Kirtikar Law Library within a period of one week from today.

Interim Application No.2806 of 2024 is allowed and Cri. Appeal No.1051 of 2019 is restored to its file.

With the restoration of the Appeal, pending interim applications also stand restored.

2. List Cri. Appeal No.1051 of 2019 for hearing on 07/08/2024.

(MANJUSHA DESHPANDE,J.) (BHARATI DANGRE, J.)