



IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO.4040 OF 2024

IN

CRIMINAL WRIT PETITION (ST) NO.22417 OF 2023

Vikith Mohandas Shetty s/o. Mohandas ShettyApplicant

In the Matter Between:

Vikith Mohandas Shetty s/o. Mohandas ShettyPetitioner

Vs.

The State Of Maharashtra & Anr.Respondents

Ms. Preshita Parab i/b. Ms. Tripti R. Shetty, for the Applicant.
Smt. Madhavi H. Mhatre, APP, for Respondent No.1-State.

**CORAM : SARNAG V. KOTWAL AND
DR. NEELA GOKHALE, JJ.
DATE : 8th OCTOBER 2024.**

P.C.:-

1) This is an Application for restoration of Criminal Writ Petition (St) No.22417 of 2023, which was dismissed for non-prosecution vide the order dated 13th June 2024. There is a delay of 17 days in preferring the Application, as well. There is another prayer for condonation of that delay.

2) Learned counsel for the Applicant submits that on that day, learned counsel for the Petitioner was not keeping well and he lost sight of the listing of the matter and therefore he could not make any alternate arrangement and therefore nobody could remain present. Learned counsel submits that as Applicant was travelling and was not in Mumbai, there is delay of 17 days in preferring the present Application.

3) Considering the submissions made by the learned counsel for the Applicant and in the interest of justice, we are inclined to restore the original writ petition so that it may be decided on merits. The delay of 17 days in filing the present Application is condoned. The Criminal Writ Petition (St) No.22417 of 2023 is restored to its original file.

4) Learned counsel for the Applicant is at liberty to seek circulation of the main matter for admission by giving notice to other side.

5) The Interim Application is disposed of.

(DR. NEELA GOKHALE, J.)

(SARANG V. KOTWAL, J.)