

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****INTERIM APPLICATION NO.4113 OF 2024****IN****CRIMINAL WRIT PETITION NO.3770 OF 2021**

Ajit Appasaheb Shitole

.....Applicant

In the Matter Between:

Ajit Appasaheb Shitole

.....Petitioner

Vs.

The State Of Maharashtra & Anr.

.....Respondents

Mr. Tanmay T. Jadhav i/b Ms. Vijayalaxmi B. Khopade, for the Applicant.

Mr. Vinod Chate, APP for Respondent No.1-State.

**CORAM : SARANG V. KOTWAL AND
DR. NEELA GOKHALE, JJ.**

DATE : 10th OCTOBER 2024.

P.C.:-

1) This is an application for restoration of Criminal Writ Petition No.3770 of 2021. The said Writ Petition came to be dismissed for non-prosecution vide order dated 28th August 2024 as nobody remained present for the Petitioner.

2) Learned counsel for the Applicant/Petitioner submitted that the advocate on record is from Pune and because of some miscommunication, she could neither remain present nor instruct

somebody to look after the matter and therefore the matter was dismissed. There was no intention to not appear in the matter. It happened due to inadvertence.

3) Considering this submission and in the interest of justice, Application is allowed. Criminal Writ Petition No.3770 of 2021 is restored to its original file.

4) Parties are at liberty to get the main Writ Petition circulated before the Court for admission by giving notice to other side.

5) The Interim Application is disposed of.

(DR. NEELA GOKHALE, J.)

(SARANG V. KOTWAL, J.)