

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

INTERIM APPLICATION NO. 4255 OF 2024

IN

CRIMINAL APPLICATION NO. 1090 OF 2023

Mr. Nanji Gangji Katuwa & Ors.Applicants

IN THE MATTER BETWEEN :

Mr. Nanji Gangji Katuwa & Ors.Petitioners

Versus

The State of Maharashtra & Anr.Respondents

Mr. Chaitanya Purankar i/b Mr. Vishal Tiwari, Advocate for the Applicants.

Mr. R. M. Pethe, A.P.P. for the Respondent-State.

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

DATE : 18th OCTOBER 2024.

P.C.:-

1. This is an Application for restoration of Criminal Application No. 1090 of 2023, which was dismissed for non-prosecution vide order dated 12th June 2024.
2. Learned counsel for the Applicants submits that on that day the Advocate on record had suffered an injury and also was

suffering from viral fever. He asked his junior to attend the matter, but the junior Advocate could not reach the Court in time and therefore he could not attend the matter. Hence, it came to be dismissed for non-prosecution. He further submits that in the interest of justice, the main matter be restored.

3. Considering this submission and in the interest of justice, Criminal Application No. 1090 of 2023 is restored to its original file.
4. Applicants are at liberty to get the matter circulated.
5. Application is disposed of accordingly.

(DR. NEELA GOKHALE, J.)

(SARANG V. KOTWAL, J.)

GITALAXMI
KRISHNA
KOTAWADEKAR
Digitally signed
by GITALAXMI
KRISHNA
KOTAWADEKAR
Date:
2024.10.22
11:20:45 +0530