

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

**INTERIM APPLICATION NO. 4436 OF 2024
IN
INTERIM APPLICATION NO. 548 OF 2024
IN
WRIT PETITION NO. 4735 OF 2015**

Debbie Pereira and Ors. .. Applicants

Versus

Irfan Lokhandwala and Anr. .. Respondents

...

Mr. Sripad Ramdasi, for the Applicant.

Mr. S.V. Gavand, APP, for the Respondent – State.

...

**CORAM: BHARATI DANGRE &
MANJUSHA DESHPANDE, JJ.**

DATED : 17th DECEMBER, 2024

P.C:-

1. On 07.09.2023 Criminal Writ Petition No. 4735 of 2015 was dismissed for non-prosecution as none represented the petitioner.

2. The present Application is taken out seeking its restoration, and we have heard the learned counsel for the applicants in support of the relief to restore the Petition to its file. Perusal of the Application would reveal that the applicants and Advocate were following up the proceedings diligently but on account of technical error in the computer, there was some confusion and they carried an impression that the hearing of

the matter scheduled on 16.02.2024, but it was listed on 07.09.2023 on the date when neither the Advocate nor the petitioner remain present and hence it was dismissed in default.

Accepting the bonafides set out in the Application, by setting aside the order dated 07.09.2023, Criminal Writ Petition No.4735 of 2015 is restored to its file.

The Writ Petition is directed to be listed on 03.01.2025 for hearing.

(MANJUSHA DESHPANDE, J.)

(BHARATI DANGRE, J.)