

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 4741 of 2024
IN
CRIMINAL APPEAL NO. 438 OF 2022

Tarak Rajabhau Kawale .. Applicant
Versus
The State of Maharashtra & Ors .. Respondents
...

Mr.Mithilesh Mishra i/b Yuvraj Bhangе Patil for the applicant.
Mr.Rupesh Lanjekar for respondent no.5.
Ms.M.M. Deshmukh, APP for the State.

CORAM : BHARATI DANGRE &
MANJUSHA DESHPANDE, JJ
DATED : 19th NOVEMBER, 2024

P.C:-

1 On 10/10/2024, Criminal Appeal filed by the appellant under section 11 of the Maharashtra Protection of Interest of Depositors (in Financial Esablshments) Act, 1999 was dismissed for want of prosecution as the counsel representing him failed to mark his appearance.

The application is taken out seeking its restoration and when we have gone through the reasons stated therein, we are satisfied with the bonafides, as the appellant had engaged a new

counsel and when the matter came up for hearing on 8/10/2024, there was no appearance on behalf of either of the counsel.

Finding that the Appeal deserves to be restored to its file as its dismissal would cause irreparable loss to the appellant who is the purchaser of the property from the accused person, the application is allowed in terms of prayer clause (a).

2 Criminal Appeal No. 438/2022 stand restored to its file and is directed to be listed for hearing on 11/12/2024.

Interim Application is disposed off.

(MANJUSHA DESHPANDE, J)

(BHARATI DANGRE, J.)