



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

Criminal Application (APPP) no. 1020 of 2024
in
Misc. Criminal Application (APPW) No. 87 of 2024
in
Criminal Writ Petition (WP) No. 137 of 2019

Vikas S/o Baburao Gaikwad
Versus
The Superintendent of Police ACB, Buldhana and others

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Ms. Isha Thakare, Advocate h/f Shri Firdos Mirza,
Advocate for the petitioner.
Shri S.S.Doifode, APP for the respondent/State.

**CORAM : SMT. VIBHA KANKANWADI &
MRS. VRUSHALI V. JOSHI, JJ.**

DATED : 15th JULY, 2024.

Heard advocate appearing for the applicant original petitioner. Learned APP waives notice for the respondent no.1 and 2. Application i.e. Criminal Application No. 1020 of 2024 has been filed for condonation the delay of 587 days in filing the application for restoration. It is to be noted that in view of the order passed by this Court on 19th October, 2022 as nobody appeared for the

petitioner the matter was adjourned with specific direction that if nobody appears then it would stand dismissed. Still, on 9th November, 2022 nobody appeared for the petitioner and the petition was dismissed with costs of Rs.5,000/-.

2. Now, the applicant/petitioner says that he was unable to come to Nagpur due to ill-health and therefore could not file the application for restoration. Though the application is not happily worded, yet it is to be noted that the original writ petition was already admitted.

3. In the said circumstances, we condone the delay. The application stands allowed and disposed of subject to costs of Rs.5,000/- to be paid to the High Court Legal Aid Sub Committee, Nagpur within a period of two weeks from today.

Misc. Criminal Application (APPW) No. 87 of 2024.

If the costs amount is deposited as aforesaid, the writ petition be restored to the file by allowing the application for restoration.

[MRS. VRUSHALI V. JOSHI, J.] [SMT. VIBHA KANKANWADI, J.]