



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

**2 CRIMINAL APPLICATION NO. 4098 OF 2024
IN WP/181/2024**

VINOD S/O WAMANRAO JOGDAND AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Applicants : Mr. Omprakash V. Waghmare h/f. Mr.
Ganesh J. Kore
APP for Respondent/State : Mr. A. R. Kale
...

**CORAM : SMT. VIBHA KANKANWADI AND
ROHIT W. JOSHI, JJ.**

DATED : 24th JANUARY, 2025

PER COURT :-

1. Present application has been filed for recall of the order dated 13.09.2024, whereby this Court has dismissed Criminal Writ Petition No.181 of 2024 in default.

2. Issue notice to the respondents. Learned A.P.P. waives service of notice for respondent No.1. Learned Advocate Mr. Omprakash V. Waghmare h/f. Mr. Ganesh J. Kore submits that the Advocate on record was out of station on 13.09.2021. He had tried to attend the matter through online mode but he was shown in waiting for long time and in the meanwhile, matter was called out. As nobody appeared, this Court has dismissed the petition. It is then stated that

the Advocate on record had immediately called his Advocate friend and requested him to mention the matter but by that time the Court time was over.

3. Taking into consideration, the reasons though they are not supported by any document or any other evidence yet by taking liberal view, we recall the order dated 13.09.2024.

4. Application No.4098 of 2024 stand allowed and disposed of.

5. Criminal Writ Petition No.181 of 2021 is restored on the file of this Court.

[ROHIT W. JOSHI]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE

A.G.Narwade