

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

**INTERIM APPLICATION NO. 3870 OF 2024
IN
CRIMINAL WRIT PETITION NO. 3284 OF 2023**

Gopakumar Radhakrishna Panicker & Ors. ..Applicant
Versus
Kirti Gopakumar Panicker & Anr. ..Respondents

Ms. Namita Shirte i/b. Mr. Robin Thomas for Applicant.
Smt. M. H. Mhatre, APP for State/Respondent.

**CORAM : SARANG V. KOTWAL &
S. M. MODAK, JJ.**

DATE : 30 JANUARY 2025

PC :

1. This is an application for restoration of the Criminal Writ Petition No.3284 of 2023, and for condonation of delay of 175 days in filing the present application.

2. The order dated 03.10.2023 passed in Criminal W.P.No.3284 of 2023 mentions that four weeks time was granted to take steps in view of the fact that the Petitioner No.1 had expired. In the meantime, office objections were directed to be removed

and if they were not removed the petition was to stand dismissed without further reference to the Court.

3. Learned counsel for the petitioners submitted that, as of today, the petition has stood dismissed, but there was no office objection which had remained to be removed. She submitted that, since the petitioner No.1 had passed away, the family was in the state of sorrow and, therefore, this restoration application could not be filed earlier.

4. Considering both these submissions, the application is allowed. The delay of 175 days in filing the application is condoned.

5. The Criminal Writ Petition No.3284 of 2023 is restored to its file. Learned counsel for the petitioners is at liberty to get the matter circulated before the Court.

6. The application is disposed of.

(S. M. MODAK, J.)

(SARANG V. KOTWAL, J.)