

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

**INTERIM APPLICATION NO. 4588 OF 2024
IN
CRIMINAL WRIT PETITION NO. 2695 OF 2021**

Navneet Suryakant Chaturbedi & Ors.

..Applicants

Versus

The State of Maharashtra & Anr.

..Respondents

Mr. Sandesh D. Patil a/w. Divya Arvind Pawar i/b. Mr. Tiwari for Applicants.

Mr. Y. M. Nakhwa, APP for State/Respondent.

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

DATE : 7 MAY 2025

PC :

1. This is an application for restoration of Criminal Writ Petition No.2695 of 2021. The said writ petition was listed on 20.02.2023. On that date, an adjournment was sought. By way of last chance the adjournment was granted subject to payment of cost of Rs.2000/- to be paid to Kirtikar Law Library within a period of two weeks from 20.02.2023. The payment was actually made

on 24.02.2023 within the stipulated period, but the Advocate on record for the petitioner did not submit the proof of such payment before the Registry. Therefore, the matter was listed on 16.07.2024 to see the compliance. On that date, the court was not informed that the compliance was already made, therefore, another Division Bench of this Court vide the order dated 16.07.2024 dismissed the writ petition for non prosecution. It was observed that the record indicated that the Petitioners had not informed the Registry about the payment of the cost and the compliance of the direction issued vide the order dated 20.02.2023.

2. Learned counsel for the Applicants invited our attention to Exhibit-A which shows that the amount of Rs.2000/- was already paid to Kirtikar Law Library on 24.02.2023 itself pursuant to the order dated 20.02.2023.

3. Considering that the compliance was already made, but inadvertently it was not brought to the notice of the Court, we are inclined to allow this application.

4. Hence, the following order:

O R D E R

- i) The Criminal Writ Petition No.2695 of 2021 is restored to its file.
- ii) Learned counsel for the petitioners is at liberty to circulate the main writ petition.
- iii) The Application is disposed of.

(S. M. MODAK, J.)

(SARANG V. KOTWAL, J.)