

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

**Interim Application No.5075 of 2024
in
Criminal Application No.1513 of 2016**

Ajees @ Ajeesh Sreedharan ... Applicant

V/s.

The State of Maharashtra ... Respondents.

Mr. Jaikumar N. Shiradhonkar a/w. Viraj Jain for the Applicant.

Mr. B.V. Holambe Patil, APP for the State.

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

DATE : 1st April 2025.

P.C. :

This is an application for restoration of Criminal Application No.1513 of 2016 which was dismissed for non-prosecution vide the order dated 18th April 2024. Learned Counsel for the Applicant submitted that the Advocate appointed by the Applicant did not remain present when the matter was called out and, therefore, the petition was dismissed. It is submitted that it was not his fault and he has a good case on merits.

2. The Applicant himself was depending on his Advocate and, therefore, was not immediately aware of the dismissal of the application. There is a delay of 7 months and 19 days in filing this

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application. Learned Counsel for the Applicant submitted that in the interest of justice, the application be restored because it is already admitted by a speaking order dated 27th February 2017 with ad-interim relief.

3. Considering these submissions, in the interest of justice, the Criminal Application No.1513/2016 is restored to its original file. The ad-interim relief granted vide the order dated 27th February 2017 while issuing Rule is also restored. The delay of 7 months and 19 days in filing this application is condoned.

4. The application is disposed of. The matter to proceed for final hearing in due course.

(S.M. MODAK, J.)

(SARANG V. KOTWAL, J)