

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 5283 OF 2024
IN
WRIT PETITION NO. 92 OF 2012

Vijay Sahadeo Chavan .. Applicant

Versus

The State Of Maharashtra And Ors. .. Respondents

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Mr. Rahul Raj h/f Adv. R. Sathyanarayanan, for the Applicant.

Mr. Prashant P. Jadhav, A.P.P. for the Respondent/State.

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**CORAM : BHARATI DANGRE &
SHYAM C. CHANDAK, JJ.**

DATED : 26th FEBRUARY, 2025

P.C:-

1. The present Interim Application is filed seeking restoration of Criminal Writ Petition No. 92 of 2012, which was dismissed by this Court on 13.10.2023 for non-prosecution.

2. Heard the counsel for the Applicant and perused the Application.

There is a delay of 282 days in filing the Application and the Application has set out that the Applicant personally had no knowledge about the demise of his Advocate

and was under the genuine impression that the matter is being followed up, once entrusted to the Advocate. However, when he came to know about the non-prosecution, he immediately filed the Application though belatedly seeking its restoration.

3. We do not doubt the bonafides of the Applicant in not being appraised of the progress of the Writ Petition, however since he was not diligent to following the proceedings, we deem it appropriate to restore the Writ Petition to its file subject to deposit of cost of Rs.10,000/- to the Kirtikar Law Library, within a period of two weeks from today.

Interim Application stand disposed off.

Criminal Writ Petition No. 92 of 2012 is directed to be restored to its file.

(SHYAM C. CHANDAK, J.)

(BHARATI DANGRE, J.)