

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****INTERIM APPLICATION NO. 5302 OF 2024****IN****WRIT PETITION NO. 333 OF 2020**

Muzammil Mohammed Muktar Ansari

... Applicant

V/s.

State of Maharashtra & Anr.

... Respondents

Mr. Rohit Sawant for Applicant.

Mr. Ajay S. Patil, A.P.P. for Respondent No.1-State.

**CORAM : A. S. GADKARI AND
RAJESH S. PATIL, JJ.****DATE : 28th July 2025.****P.C. :**

1) This is an Application for restoration of WP No. 333 of 2020, which was dismissed for non-prosecution vide Order dated 19th June 2023.

1.1) There is a delay of 521 days in preferring present Application.

1.2) Perusal of Application clearly reveals that, no explanation least to say any plausible explanation is offered by the Applicant for the said inordinate and colossal delay in preferring present Application. It be noted here that, even no explanation is offered for not attending or remaining present in Court on 19th June 2023 by the Applicant.

1.3) Reasons for dismissal of Petition are aptly mentioned in para No.2 of Order dated 19th June 2023.

2) This Court was therefore not inclined to condone the delay and restore the Petition. However, at the profuse request of learned Advocate for the Applicant and on a statement that, for condonation of the said inordinate delay, the Applicant will voluntarily pay a cost of Rs. 25,000/- to the Armed Forces Battle Casualties Welfare Fund within a period of two weeks from the date of uploading of present Order on the official website of High Court of Bombay. The said statement is accepted as an undertaking given to this Court.

2.1) Details of the bank account for payment of cost are as under :-

Account Name	:-	Armed Forces Battle Casualties Welfare Fund.
Account Number	:-	90552010165915.
Bank Name	:-	Canara Bank.
Branch	:-	South Block, Defence Headquarters, New Delhi – 110 011.
IFSC Code	:-	CNRB0019055.

2.3) Subject to payment of cost to the said Authority, delay is condoned and Application is allowed in terms of prayer clause (a).

2.4) Though, there is no prayer in the Application for restoration of Petition, in the interest of justice and subject to payment of aforesaid cost to the said Authority, we restore the Petition to file.

(RAJESH S. PATIL, J.)

(A.S. GADKARI, J.)