

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

**INTERIM APPLICATION NO. 3067 OF 2025
IN
CRIMINAL WRIT PETITION NO. 6043 OF 2024**

Mayur Prakash Dhas and Ors.

.... Applicants

V/s.

The State of Maharashtra and anr.

.... Respondents

Mr. Ajinkya Udane for the Applicants.

Ms. Supriya Kak, APP for the Respondent – State.

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

DATED : 11th NOVEMBER, 2025

P.C. :-

1) The Application seek restoration of the Petition which was dismissed for want of prosecution on 11/07/2025 as the Court observed that despite circulating the Petition, none appeared for the Petitioner.

We have heard learned Counsel Mr. Udane for the Applicant and perused the Application and we find sufficient justification being offered as the Application state that the Advocate for the Petitioner was on leave and he had already filed a leave note when the matter was listed and in absence of the Advocate, the same was dismissed for want of prosecution.

2) It is trite position in law that a party cannot be made to suffer for any lapse on part of the Counsel and here since the Counsel had already

circulated a leave notice, he expected the same to be taken into consideration as it is an intimation that the Counsel is not available.

3) In any case, on testing the bonafides we are convinced to restore the Writ Petition to its file subject to payment of cost of Rs.10,000/- to the High Court Legal Services Authority within a period of two weeks from today.

4) The Writ Petition is directed to be listed on 25/11/2025. To be listed along with the connected matters.

5) Interim Application is disposed of.

(SHYAM C. CHANDAK, J.)

(BHARATI DANGRE, J.)

PREETI
HEERO
JAYANI

Digitally signed by
PREETI HEERO
JAYANI
Date: 2025.11.14
17:04:21 +0530