siddhi

IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL MISC. APPLICATION NO.276 OF 2026
IN
CRIMINAL WRIT PETITION NO. 144 OF 2026

NISHIT ASHWIN SHAH ... APPLICANT

Versus.

POLICE INSPECTOR

(OFFICER IN CHARGE)

AND 2 ORS. ... RESPONDENTS

Mr. Nigel Da Costa Frias with Mr. Karthik Panchal, Advocates for the Applicant.

Ms. Swati Kamat Wagh, Additional Public Prosecutor for Respondents-State.

CORAM: ASHWIN D. BHOBE, J.

DATED: 20th November, 2026

ORDER.

1. Heard, Mr. Nigel Da Costa Frias, learned Advocate for Applicant and Ms. Swati Kamat Wagh, learned Additional Public Prosecutor.

2. By Order dated 08.05.2026, Criminal Writ Petition No.160 of 2026 (Filing) was dismissed for non-prosecution.

3. Mr. Nigel Da Costa Frias, learned Advocate for Applicant submits that office objections raised by the Registry remained to be carried out due to inadvertence on the part of the Advocate on record. He further submits that non-appearance of the Advocate for the Petitioner on 08.05.2026 was a bonafide mistake of the Advocate for the Petitioner. He therefore prays for indulgence and restoration of Criminal Writ Petition No.160 of 2026 (Filing).

4. Mr. Nigel Da Costa Frias learned Advocate for the Applicant, states that the Criminal Writ Petition No.160 of 2026 (Filing) was at the pre-notice stage.

5. Ms. Swati Kamat Wagh, learned Additional Public Prosecutor for the State, in all fairness, submits that the State does not object to the Restoration of Criminal Writ Petition No.160 of 2026 (Filing).

6. Perused records.

7. Mr. Nigel Da Costa Frias, learned Advocate for Applicant has candidly accepted the mistake of the Advocate, for the dismissal of Criminal Writ Petition No.160 of 2026 (Filing). Dismissal of the Petition for non-prosecution for the reasons attributable to the Advocate for the Applicant, would affect

the Applicant's right to agitate the subject matter of the writ Petition on merits.

8. In view of the same, I deem it proper to pass the following o rder:-

a. Order dated 08.05.2026 passed in Criminal Writ Petition No.160 of 2026 (Filing) is recalled, said petition is restored.

b. Time to clear the office objections raised by the Registry of this Court in Criminal Writ Petition No.160 of 2026 (Filing), is granted till 08.12. 2026.

c. If the objections are cleared, the Registry shall register the Criminal Writ Petition No.160 of 2026 (Filing).

9. Criminal Miscellaneous Application No. 276 of 2026 is allowed.

ASHWIN D. BHOBE, J.

Signed by: MEENA VISHAL BHOIR
Designation: Personal Assistant
Date: 21/11/2026 16:35:29