

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 5183 OF 2014
IN APPLN/5182/2014 WITH CRIMINAL APPLICATION NO. 5182 OF 2014

MANAGING DIRECTOR, SHIVSHAKTI COOPERATIVE SUGAR
FACTORY LTD TANDULWADI DIST OSMANABAD
VERSUS
MUSTAFA USMANKHAN PATHAN

...
Advocate for Applicants : Mr. Choudhari Sushant B
APP for Respondent-State (added): Mrs. S.A. Dhumal
.....

CORAM : V. K. JADHAV, J.

DATED : 7th SEPTEMBER, 2015

P.C. :-

1. Leave to add State as party. Learned A.P.P. waives notice for added respondent-State.
2. Heard learned counsel for the applicant and the learned A.P.P. for added respondent-State. None appears for respondent No.2.
3. By this application, the applicant prays for condonation of delay caused in filing criminal application seeking leave to file appeal challenging the judgment and order of acquittal dated 30.8.2013 passed by learned J.M.F.C. Washi in S.C.C. No. 1016 of 2008, for the offence punishable under Section 138 of Negotiable Instruments Act, 1881. For the reasons stated in the application, delay of 321

days caused in filing application seeking leave to file appeal, is hereby condoned. Application is allowed and disposed of accordingly.

4. Issue notice to the respondent on the application seeking leave to prefer appeal.

5. Learned A.P.P. waives notice for respondent-State. Call for record and proceedings.

(V. K. JADHAV, J.)

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