

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.266 OF 2015
IN
CRIMINAL APPLICATION NO.401 OF 2014

The Nashikroad Deolali Vyapari
Sahakari Bank Ltd.

..Applicant

Versus

M/s. NTL Telelinks Pvt. Ltd.

..Respondent

....

Mr. Kishor Patil, for the Applicant.

Mrs. P.P. Bhosale, APP, for the State.

....

CORAM : A. R. JOSHI, J.

DATE : 22nd JULY, 2015

P.C.

1. Heard learned Counsel for the applicant in this application for restoration. Vide order dated 23.2.2015 the application No.401 of 2014 for condonation of delay was dismissed for non-appearance on behalf of the applicant. Learned Counsel brought attention of this Court to the leave note given by the Advocate to the office mentioning that from 18.2.2015 to 24.2.2015 the Advocate had asked for leave to attend a family wedding. Apparently leave was granted. In spite of this, the Application No.401 of 2014 came to be dismissed on

23.2.2015. As such, present application is allowed and disposed of. Earlier application no.401 of 2014 is restored to the file. Notice to respondent No.1 in the application No.401 of 2014 which is for condonation of delay of 17 days in filing the appeal along with the application for leave to file appeal challenging the acquittal of respondent No.1 in the matter of offence punishable under Section 138 of Negotiable Instruments Act. Notice be issued against respondent No.1(ii) and 1(iii). The applicant to serve these respondents by all possible modes and also by RPAD. Learned APP for respondent No.2-State waives service. Stand over to 12th August, 2015.

(A. R. JOSHI, J.)

Deshmane (PS)