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

CRIMINAL APPLICATION NO. 321 OF 2015

Rishi Ramesh Pilani ... Applicant
Versus
M/s. Ketul Chem Pvt. Ltd. and anr. ... Respondents

**WITH
CRIMINAL APPLICATION NO. 322 OF 2015**

Rishi Ramesh Pilani ... Applicant
Versus
M/s. Ketul Chem Pvt. Ltd. and anr. ... Respondents

**WITH
CRIMINAL APPLICATION NO. 323 OF 2015**

Raunak Ramakant Pilani ... Applicant
Versus
M/s. Ketul Chem Pvt. Ltd. and anr. ... Respondents

**WITH
CRIMINAL APPLICATION NO. 324 OF 2015**

Raunak Ramakant Pilani ... Applicant
Versus
M/s. Ketul Chem Pvt. Ltd. and anr. ... Respondents

**WITH
CRIMINAL APPLICATION NO. 325 OF 2015**

Rishi Ramesh Pilani ... Applicant
Versus
M/s. Ketul Chem Pvt. Ltd. and anr. ... Respondents

**WITH
CRIMINAL APPLICATION NO. 326 OF 2015**

Raunak Ramakant Pilani ... Applicant
Versus
M/s. Ketul Chem Pvt. Ltd. and anr. ... Respondents

**WITH
CRIMINAL APPLICATION NO. 328 OF 2015**

Rishi Ramesh Pilani ... Applicant
Versus
M/s. Ketul Chem Pvt. Ltd. and anr. ... Respondents
Mr. P.Y. Shankar and Devika Nadar i/by Legal Bond for the applicants.
Smt. P.P. Bhosale, A.P.P. for the State.

**CORAM : M.L. TAHALIYANI, J.
DATED : APRIL 21, 2015**

P.C.

Admit. Heard finally.

2. These applicants are impugning the order passed by the learned Additional Sessions Judge, Borivali Division Dindoshi, Mumbai in Misc. Applications filed by the applicants for modification of the order dated 7th March, 2014. The applicants were accused for the offence punishable under section 138 of the Negotiable Instruments Act in the cases pending before the learned Metropolitan Magistrate filed by respondent no. 1.

3. The applicants moved the Sessions Court challenging the order of issuance of process. The Revision Application for challenging the orders of the Magistrate were delayed by 232 days. Learned Additional Sessions Judge was kind enough to condone the delay. However, he had imposed cost of Rs.3,000/- for each case to be paid by the applicants. The applications for condonation of delay were decided on 7th March, 2014 and it was directed that the cost shall be paid on or before 31st March, 2015. It was further

directed that if the cost was not paid within the time limit given by the Judge, the order directing condonation of delay should stand revoked.

4. Admittedly cost was not paid till 4th June, 2014 when the application for modification of the order was made. Learned Judge refused to interfere and refused to modify the earlier order. In this regard learned counsel has submitted that the learned advocate Sandip Thakkar who appeared on behalf of the applicants before the Sessions court was suffering from some heart ailment during the period from March, 2014 to June, 2014 and therefore, applicants could not come to know about the order passed by the Additional Sessions Judge and it is because of these reasons that the applicants could not pay the cost as directed by the Additional Sessions Judge.

5. In the first place, it may be mentioned that there is no material on record that Mr. Sandip Tahkkar was not well. Secondly the conduct of the applicant does not permit me to interfere with the order passed by the Additional Sessions Judge. It can be seen that the applicant since beginning has taken the litigation in casual manner and wanted that the court should condone all their mistakes. The first ever delay was of 232 days when they made revision applications before the Sessions Court against the orders of issuance of process. Despite Additional Sessions Judge being kind enough to condone the delay, the applicants were casual or negligent in not complying with the order of the Sessions Judge. In my opinion, this conduct of the applicants does not entitle them to get any reliefs from this court. The Criminal Applications are summarily dismissed.

(JUDGE)