

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

CRIMINAL APPLICATION NO. 219 OF 2014

The Be-Jod Co.Op. Credit Soc. Ltd. ..Applicant/Appellant
V/s.

Shri. Shivprasad Bansilal Vaishya & Anr. .. Respondents

Mr.S.R. Acharya holding for Mr.Shivkumar R. Gupta,
for applicant/appellant.

Mrs.Anamika Malhotra, APP for State.

Mr.Jagdish Chaudhary, for respondent no.1.

CORAM : A. R. JOSHI, J.

DATE : 29TH JUNE, 2015.

P.C.

1. Heard rival submissions on this application for condonation of delay of 192 days in preferring the application for leave to file appeal. The delay was due to procedure being adopted by the applicant Co-operative Credit Society in challenging the order of the acquittal of the respondent. Time was taken in obtaining the certified copies and subsequently the matter was handed over to the Senior Advocate of the Society then after his advise matter again was taken before the officers for preferring the appeal Memo and application etc.

2. In the opinion of this court the said delay can be

condoned and the matter can be heard on merits for admission. As such application for condonation of delay is allowed. The delay is condoned.

3. On the next date the argument shall be heard on the application for leave to file appeal. Respondent no.1 to waiving service of the application for leave and also leave-cum-appeal memo. The learned APP for respondent no.2-State waives service. Stand over to 20th July 2015.

4. Delay condonation application is accordingly disposed of.

(A. R. JOSHI, J)