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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 651 OF 2014
(For Condonation of Delay)
IN
CRIMINAL APPLICATION NO. 652 OF 2014
(For Restoration)
IN
CRIMINAL APPLICATION NO. 3435 OF 2008

Rupshi Ladha Satra

.. Applicant

Vs.

The State of Maharashtra and ors.

.. Respondents

Mr. Shreepad Murthy a/w Ms. Shobha Mehra i/by Mr. Abhishek Patil for applicant.

Mr. Ganesh Tanaji Jadhav for respondent no.2.

Mr. K. K. Malpathak for respondent nos. 3 and 4.

Smt. V. R. Bhosale, APP for State.

CORAM: P. V. HARDAS &
DR. SHALINI PHANSALKAR-JOSHI, JJ.

MARCH 23, 2015.

P.C.

1. By this application, the applicant / Original Applicant in Criminal Application No. 3435 of 2008 seeks condonation of delay of 667 days in filing an application seeking recall of the order of this court directing the dismissal of the application filed by the applicant.

2. We have heard the learned counsel for the applicant and the learned counsel representing respondent nos.2, 3 and 4 as well as the learned APP who has appeared on behalf of the respondent-State. Learned counsel for the respondent no.2 has urged before us that in the light of the fact that delay is enormous, this court should dismiss the application for condonation of delay. It is also urged before us that the applicant ought to have been vigilant and, therefore, the delay should not be condoned.

3. We have heard the learned counsel for the parties and we have perused the application. No reply on behalf of the respondent no.2 has been filed. Upon examining the contents of the application, in our opinion, the delay has been sufficiently explained and we accordingly allow this application and condone the delay. Ad-interim relief granted earlier to continue till the decision of Criminal Application No. 652 of 2014.

(DR. SHALINI PHANSALKAR-JOSHI,J.)

(P. V. HARDAS,J.)