

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.614 OF 2014

FAROUK SODAGAR DARVESH & CO.(P)LTD.)...APPLICANT

V/s.

M/S.VARDHAN CONSTRUCTION & ORS.)...RESPONDENTS

Mr.Kishor Bhatia, Advocate for the Applicant.

Mr.Pravin Shewale, Advocate for Respondent Nos.1 and 2.

Mr.Deepak Thakre, APP for the Respondent - State.

CORAM : ABHAY M. THIPSAY, J.

DATE : 27th MARCH 2015.

P.C. :

1 Heard Mr.Kishor Bhatia, the learned counsel for the applicant. Heard Mr.Pravin Shewale, the learned counsel for respondent nos.1 and 2. Heard Mr.Deepak Thakre, the learned APP for the State.

2 The delay in filing the application for leave to appeal is of five days. According to the applicant, the same has been caused due to the fact that there was Diwali Vacation till 26th October 2014, and that, thereafter, the applicant was on leave on account of Moharram. The factual correctness of these statements cannot be disputed. The case of the applicant is that this has resulted in his inability to give instructions to the advocate for the applicant, which resulted in delay of five days.

3 Considering the averments made by the applicant in the application, I am inclined to condone the delay.

4 Delay condoned.

5 The application for leave to appeal be numbered and placed for 'Admission' on 20th April 2015.

(ABHAY M. THIPSAY, J.)