

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.58 OF 2015

SHIVJYOTI SAHAKARI PATHPEDHI MARYADIT)...APPLICANT

V/s.

GOPAL PURSHOTTAM P. & ANR.)...RESPONDENTS

Shri Kishor S. Patil, Advocate for the Applicant.

Shri L.V.Bommer, Advocate for Respondent No.1.

Shri V.B.KondeDeshmukh, APP for the Respondent - State.

CORAM : ABHAY M. THIPSAY, J.

DATE : 4th JANUARY 2016.

P.C. :

1 Heard Shri Kishor Patil, the learned counsel for the applicant. Though it is submitted that the delay in filing the application for leave to appeal is of two years and some days, the delay actually appears to be of more than three years. The learned counsel for the applicant fairly submitted that except the reasons that are given in paragraph 3 of the application, there are no other reasons for the delay. I find that according to the applicant, a

copy of the impugned order was received by the applicant in the year 2011, but the applicant was not able to trace it, as it was misplaced. According to the applicant, an attempt was made to lodge the application with a photocopy of the impugned order, but that the applicant was told that without certified copy of the impugned order, the application would not be lodged and registered. The applicant claims to have taken search and traced out the certified copy 'recently.' The reasons given for the delay are not acceptable. The applicant has failed to show sufficient cause for condonation of delay.

2 The application is rejected.

(ABHAY M. THIPSAY, J.)

CERTIFICATE

**Certified to be true and correct copy of the original
signed Judgment / Order.**