

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.596 OF 2015

WITH

CRIMINAL APPEAL NO.32 OF 2015

SURYAKANT VITTHAL MODAK

)...APPLICANT

V/s.

CHANDRAKANT GENBA MODAK & ORS.

)...RESPONDENT

Shri Harshwardhan Akolkar i/b. Shri Rohan Nahar, Advocate for the Applicant.

Shri Subhash Jha i/b. Law Global, Advocate for Respondent No.3.

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

CORAM : ABHAY M. THIPSAY, J.

DATE : 15th JANUARY 2016.

P.C. :

1 Heard.

Considering that the delay has been partly occasioned because of an erroneous opinion about the legal position and all other relevant aspects of the matter, I am inclined to condone the delay. This is particularly so, because the respondents have not chosen to file any affidavit opposing the application.

- 2 The application is allowed.
- 3 Delay condoned.
- 4 The application for leave to appeal be numbered and
be placed on board for Admission on **29th January 2016.**

(ABHAY M. THIPSAY, J.)

CERTIFICATE

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