

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

Criminal Application (APPA) No. 84 of 2016

Munnalal v. Rohitkumar

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Ms Radha Mishra, Mishra, Advocate for applicant

Coram : S. B. Shukre, J

Dated : October 3, 2016

1. Heard learned counsel for the applicant. None appears for the respondent, though duly served.
2. There has been delay of 5 years 10 months and 9 days in preferring the appeal. However, from the copy of the Roznama filed on record, it appears that the delay was on account of the fact that the complaint case was transferred from one Court to the another which resulted in applicant losing track of the case. It is thus seen that there are no malafides involved and the applicant was restrained from filing appeal for the reasons beyond his control. In this situation, I am of the view that the delay has been reasonably explained.
3. Application is, therefore, allowed. Delay occurred in this case is hereby condoned. Application stands disposed of. Appeal be registered.
4. Criminal Appeal : Issue notice to the respondent, returnable on 24.10.2016.

JUDGE

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