

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD**

**CRIMINAL APPLICATION NO.281 OF 2017**

Cholamandalam Investment and .. Applicant  
Finance Co. Ltd.

**Versus**

Sitaram Goraksh Dhas .. Respondents  
and another

Mr.Sachin S. Panale, Advocate for the applicant  
Mr.S.G.Shinde, Advocate for respondent No.1  
Mr.S.N. Morampalle, APP for respondent No.2/State

**CORAM : V.L.ACHLIYA, J.**  
**DATED : 02.05.2017**

**P.C. :-**

. The applicant has moved this application seeking condonation of 69 days delay in filing the appeal against the acquittal.

2. Learned learned counsel for the applicant submits that the delay was not deliberate. He submits that the applicant is the Company and in the process of seeking approval from the Head Office to file the appeal, the delay was caused.

3. On the other hand learned counsel for the respondent opposed the application with contention that the no sufficient cause has been assigned to condone the delay. He submits that the time consumed in seeking administrative approval cannot be a ground of condone the delay.

4. Having appreciated the submissions advanced in the light of un-challenged pleadings of the applicant I am of the view the delay deserves to be condoned. In case the delay is not condoned there is every likelihood that meritorious matter may be dismissed due to technical reason. I am, therefore, inclined to allow the application subject to deposit of cost of Rs.5,000/- within two weeks.

5. On deposit of cost the application seeking leave to file appeal be registered. On admission learned counsels for the respondents waives service of notices. List the application for compliance of payment of cost and hearing on **07.06.2017.**

**[V.L.ACHLIYA,J.]**