

IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL MISC. APPLICATION NO. 49 OF 2017

IN

STAMP NUMBER MAIN NO. 292 OF 2017

VPK URBAN CO-OP. CREDIT SOCIETY
LTD., REP. HEREIN BY ITS AUT.
OFFICER, MR. PUNDALIK RAMA
PALYEKAR.,

... Applicant

Versus

MR. PRITAM DATTA NAIK AND ANR.,

... Respondents

Adv. S. Munj for the Applicant.

Adv. Agha Iftikhar for Respondent no.1

Coram:- M. S. SONAK, J.

Date:- 18th April, 2017

P.C.:

Heard Mr. S. Munj, learned counsel for the applicant and Mr. I. Agha, the learned counsel for the respondent no.1. This application seeks condonation of delay of about 51 days in instituting proceedings for seeking leave to appeal against acquittal. The cause shown in the application is that one Ms. Ratna Amonkar was in charge of the matter and since she had proceeded on leave on account of maternity related issues, the delay has resulted. Mr. Agha submits that no documents have been produced on record to indicate whether such leave was indeed applied for or granted. He submits that in any case even if medical certificate is considered, it is clear that by that time

almost of 20 to 25 days had already gone by since the impugned order. Upon perusal of the reasons set out in the application as well as the medical certificate, I am satisfied that sufficient cause has been shown. The delay in this case is not at all inordinate and in any case the reasons for the delay have been explained. Accordingly the application is allowed. The delay in entertaining the application for leave is condoned. The Court was, however, inclined to impose certain costs, but Mr. Igha, the learned counsel for the respondents has very graciously declined to accept costs in the matter.

2. Stand over to 2/5/2017.

M. S. SONAK, J.

ap/-