

IN THE HIGH COURT OF BOMBAY AT GOA
CRIMINAL MISC. APPLICATION NO. 192 OF 2017
IN
STAMP NUMBER MAIN NO. 2185 OF 2017

MRS. AISHA BI SHAIKH., ... Applicant

Versus

MR. SAURABH LOTLIKAR., ... Respondent

Shri Joaquim Godinho, Adv.for the applicant.
Ms. S.Bhobe, Advocate for respondent no.1.

Coram:- PRITHVIRAJ K. CHAVAN, J.

Date:- 27th November 2017

P.C.

By this application, the applicant prays for condoning the delay of 8 days, which has occurred in preferring an appeal against the judgment of acquittal passed by the learned JMFC on 27.4.2017.

2. Heard Shri J.Godhino, learned counsel for the applicant and Ms. S.Bhobe, learned counsel for respondent no.1, who objected the application for condoning the delay.

3. In short, learned counsel for the applicant submitted that there was an error in calculating the period of limitation by his junior colleague and that the matter needs to be heard on merits and, therefore, seeks condonation of delay of 8 days. According

to him, the delay is bonaifde and unintentional. On the other hand, learned counsel for the respondent no.1 objected on the ground that the application is filed with malafide intention and with a casual approach, as the application does not indicate the name of the learned counsel and the date on which application for certified copy was made.

4. Having considered the respective submissions of the learned counsel, it appears that the delay is bonafide, as it occurred due to miscalculation of period of limitation. As such, the delay needs to be condoned and the matter needs to be heard on merits. Therefore, the delay is condoned.

5. Application stands disposed of.

PRITHVIRAJ K. CHAVAN, J.

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