

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.573 OF 2015

MUNICIPAL CORPORATION OF GR.MUMBAI)...APPLICANT

V/s.

SHRI KHIMAJIBHAI PAHADIA AND ANR.)...RESPONDENTS

Ms.Surekha Sonawane a/w. Mr.Kunal Waghmare, Advocate for the Applicant.

Ms.A.A.Takalkar, APP for the Respondent – State.

None for Respondent No.1.

CORAM : A. M. BADAR, J.

DATE : 23rd JANUARY 2017.

P.C. :

1 Heard the learned advocate appearing for the applicant / original complainant and the learned APP appearing for respondent no.2. None appeared for respondent no.1.

2 Averments made in the application explaining the delay of one year and ninety six days in filing an application for

leave to appeal went uncontroverted. The application seeking condonation of delay is on affidavit. There is no reason to disbelieve uncontroverted averments made in the application for condonation of delay. In this view of the matter, the following order :

- i) The application is allowed.
- ii) The delay in filing an application for leave to appeal is condoned.
- iii) The application for grant of leave to appeal be registered and put up for **Admission**.

(A. M. BADAR, J.)