

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL APPLICATION NO.750 OF 2015**

|                                          |                |
|------------------------------------------|----------------|
| Sameer Ajit Dhawale                      | ...Applicant   |
| Versus                                   |                |
| Mrs. Vrushali Dattatray Thakar &<br>Anr. | ...Respondents |

.....

Mr. Vivek H. Kyadal for the Applicant.  
Mr. Rajesh A. More for the Respondent No.1.  
Mr. P.H. Gaikwad-Patil, APP for the Respondent No.2-State.

**CORAM :SMT. ANUJA PRABHUDESSAI, J.**

**DATED: 11<sup>th</sup> AUGUST, 2017.**

**P.C.:-**

This is an application for condoning the delay of 19 days in filing application for leave to appeal.

2. The learned counsel for the Respondent opposed the application and submitted that the application does not make out sufficient grounds for condoning delay.

3. Heard the learned counsels for the Applicant, Respondent No.1 and the learned APP for the Respondent No.2-State. The reasons set out in paragraph 15 of the application indicate that the advocate on record had failed to take prompt steps to obtain the certified copy of

the judgment and to file the appeal. The Applicant cannot be penalised for the negligence of the Advocate.

4. Hence, in view of the reasons stated in paragraph 15 of the Application, which in my considered view constitute sufficient ground for condoning the delay in filing application for leave to appeal, the delay of 19 days is condoned. The application stands disposed of.

5. The application for leave to appeal be registered, if objections, if any, are removed within a period of 8 days.

**(ANUJA PRABHUDESSAI, J.)**