

IN THE HIGH COURT OF JUDICATURE AT BOMBAY:
NAGPUR BENCH : NAGPUR
Criminal Application [APL] No.240 of 2017
[Mohd. Rizwan Khan Shamsher Khan Vs. Abdul Kadar Mohd. Yusuf Nagani]

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**Office Notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.**

Court's or Judge's orders

Mr. R. J. Shinde, Adv., for the applicant.

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CORAM : A. S. CHANDURKAR, J.

DATE : 22nd November, 2017

The applicant is aggrieved by the order on the application that was filed by the non-applicant under Section 142 (B) of the Negotiable Instruments Act, 1881, read with Section 5 of the Limitation Act, 1963.

The learned Judicial Magistrate First Class, Arni, condoned the delay of seven days and this order was maintained by the learned Sessions Judge.

The learned counsel for the applicant submitted that both the Courts committed an error in condoning the delay. The reasons mentioned in the application by the non-applicant were not sufficient for said purpose.

Perused the application as well as reply filed thereto. In the application below Exh.1, the cause of

delay has been mentioned. This cause was accepted by the learned Magistrate and the delay was condoned by imposing costs of Rs.200/-. I find that the reason mentioned is acceptable and the learned Sessions Court did not commit any error in dismissing the Revision Application.

Hence, present proceedings stand dismissed. No costs.

All pending applications also stand disposed of.

Judge

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