

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.697 OF 2016

MUKESH BOKADIA

)...APPLICANT

V/s.

PRITHVIRAJ JOGANI AND ANR.

)...RESPONDENTS

Ms.Devika Nadar I/b. Legal Bond, Advocate for the Applicant.

Mr.S.V.Gavand, APP for the Respondent - State.

CORAM : A. M. BADAR, J.

DATE : 15th OCTOBER 2018

P.C. :

1 By this application, the applicant is seeking condonation of delay of 327 days in preferring the application for restoration of Criminal Appeal bearing No.104 of 2015. Similarly, the applicant is also praying for setting aside the order dated 9th March 2015 passed by this court in dismissing the appeal for want of prosecution.

2 The learned counsel for the applicant argued that the applicant was not aware about listing of the matter, and therefore, the appeal came to be dismissed.

3 For seeking condonation of delay, the applicant is required to demonstrate sufficient cause. Not aware about listing of the matter cannot be a sufficient cause either for seeking condonation of delay or for further getting restoration of the appeal which was dismissed for default. It is seen from the record that the appeal was not admitted for final hearing. It was dismissed for not removing of office objections. Those office objections are not yet removed. The application is not reflecting any sufficient cause. Hence, the order :

ORDER

The application is rejected.

(A. M. BADAR, J.)