

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.400 OF 2018

Avinash Shankar Sakpal & Anr. ... **Applicants**

V/s.

Vensi Francis Correia & Ors. ... **Respondents**

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Ms.Ruchita Kadam i/b. Mr.Rajeev Tripathi, Advocate for the Applicants.

None for the Respondent Nos.1 and 2.

Mr.P.H.Gaikwad-Patil, APP for the Respondent No.3/State.

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CORAM : A.M.BADAR, J.

DATED : 17th OCTOBER 2018.

P.C. :

1 This is an application for condonation of delay in preferring an application for leave to appeal.

2 Heard the learned Counsel appearing for the applicant. None appeared for respondent Nos.1 and 2. The Registry has reported vide report dated 30/08/2018 that notices issued to respondent Nos.1 and 2 are duly served.

3 The delay seems to be that of 213 days. It is explained in paragraphs 4 and 5 of the application. The averments made in the application which are on affidavit are not controverted. Sufficient cause is made out. Therefore, the Order :

ORDER

- (i) The application is allowed.
- (ii) The delay in filing an application for leave to appeal is condoned.
- (iii) The application is disposed of accordingly.

(A.M.BADAR J.)