

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

CRIMINAL APPLICATION NO. 9 OF 2017

Esther Chettiar

.. Applicant

Versus

S. M. Thakur & Anr.

.. Respondents

...

Mr. Omkar Nagvekar i/b. Adv. Prabha U. Badadare for the
Applicant.

Mr. A. S. Kulkarni for the Respondent No.1.

Mrs. M. R. Tidke APP for the Respondent/State.

CORAM: P. N. DESHMUKH, J.

DATED : 6th NOVEMBER, 2019.

P.C:-

1. Heard learned counsel for the applicant, learned counsel for the respondent No.1 and learned APP for the State.

2. This application is for condonation of 31 days delay caused in filing application for leave to appeal. It is specific case of applicant that since, applicant approached to wrong forum, delay

Sonali Patil

as aforesaid is caused. In that view of the matter and for the grounds mentioned in the application, as delay is found satisfactorily explained, application is disposed of as allowed.

3. Office to register application for leave to file appeal and upon registration, issue notice to the respondent.

4. Learned counsel for the respondent No.1 waives service of notice for respondent No.1.

5. Learned APP waives service of notice for respondent No.2/State.

6. On the application of respondents for filing affidavit-in-reply, stand over to 4th December, 2019.

(P. N. DESHMUKH, J.)