

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 789 OF 2008
IN
CRIMINAL APPEAL NO. 134 OF 2006**

Securities and Exchange Board of India	...Applicant
Versus	
M/s. Baroda Agro Industries Ltd. & Ors.	...Respondents

Ms. Aisha Shaikh h/f Ms. Sabiha Ansari for the Applicant

Ms. P. P. Shinde, A.P.P for the Respondent No.7-State

CORAM : REVATI MOHITE DERE, J.
TUESDAY, 23rd APRIL 2019

P.C. :

1 Heard learned counsel for the parties.

2 By this application, the applicant seeks condonation of delay in filing the aforesaid appeal No. 134/2006 and also prays that the said criminal appeal be restored to its original file.

3 Perused the papers. Vide order dated 6th March 2006, time was granted to the applicant to furnish spare copy in the Registry before 20th March 2006, failing which, the matter was to stand

dismissed for non-prosecution without further orders of this Court. As spare copy was not supplied, the appeal was dismissed for non-prosecution.

4 Learned counsel for the applicant submits that there was an error on the part of the Department, inasmuch as, despite copies being served, it was observed that copies were not served, pursuant to which, the appeal was dismissed for non-removal of office objection.

5 For the reasons set out in the application, application is allowed. Delay is condoned and the aforesaid criminal appeal being Criminal Appeal No. 134/2006 is restored back to file to its original number. To be listed on the final hearing board as per its turn.

REVATI MOHITE DERE, J.