

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.831 OF 2019

IN

CRIMINAL APPEAL (STAMP) NO.733 OF 2019

HOMI NOSHIR DARUKHANWALLA & ANR.)...APPLICANTS

V/s.

THE STATE OF MAHARASHTRA & ORS.)...RESPONDENT

Mr.Brian D'Lima, Advocate for the Applicants.

Mr.Sandeep Karnik, Advocate for the Respondent.

Mr.Yogesh Dandekar, Advocate for Respondent No.3.

Mrs.S.V.Sonawane, APP for the Respondent - State.

**CORAM : INDRAJIT MAHANTY &
A. M. BADAR, JJ.**

DATE : 2nd AUGUST 2019

P.C. :

1 This is an application for condonation of delay in preferring an appeal challenging the order dated 21st November 2018 whereby attachment of flat is made absolute by the learned trial court.

2 Heard the learned counsel appearing for the applicant as well as the learned APP appearing for respondent nos.1 and 2, so also the learned counsel appearing for respondent nos.3 and 4.

3 Reasons for delay of 95 days in preferring the appeal is sufficiently explained in the application which is on affidavit. Hence, though the learned counsel for respondent no.4 opposed the application, we are of the considered opinion that sufficient cause is made out. Hence the order :

ORDER

- i) The delay in preferring the appeal is condoned.
- ii) The appeal be registered.
- iii) The application is disposed off accordingly.

(A. M. BADAR, J.)

(INDRAJIT MAHANTY, J.)