

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

CRIMINAL APPLICATION No. 543 OF 2018

Yusuf Moosa Moosani ...Applicant
Vs.
M/s. Delta Enterprises and Ors. ...Respondents

Ms. Racheeta R. Dhuru for Applicant
None for Respondent Nos.1 and 2
Ms. Pallavi Dabholkar -APP

CORAM : SMT.SADHANA S. JADHAV, J.

DATE : MARCH 14, 2019

P.C.:

1. The notices are duly served upon Respondents. On 21st February, 2019, this Court had observed that “Notices issued to the respondent Nos.1 and 2 have been received back duly served. However, the respondents have not caused any appearance. In order to give a fair opportunity to the respondents, stand over to 14.3.2019.”

2. However, to give fair opportunity to the Respondents, the matter was adjourned today i.e. on 14.3.2019. Today, none appears for the Respondent Nos. 1 and 2.

3. This is an application seeking condonation of delay in filing of leave to appeal, challenging the judgment and order dated

2.7.2018 passed by the 20th Metropolitan Magistrate at Mazgaon, Mumbai in Criminal Case No. 1432/SS/2016. The delay is of 26 days.

4. For the reasons assigned in paragraphs 7,8, and 9, the application for condonation of delay deserves to be allowed.

5. Application for condonation of delay is allowed in terms of prayer clause (a). Delay of 26 days is condoned in the interest of justice. Application stands disposed of accordingly.

[SMT.SADHANA S. JADHAV, J.]

V.A. Tikam