

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO. 3606 OF 2019

Shivaji Ramkisan Dhotre .. Applicant

Versus

Ganesh Vishnu Solanke .. Respondent

Mr. Abhay G. Deshmukh, Advocate for the Applicant.

CORAM : KISHORE C. SANT, J.

DATED : 10th NOVEMBER, 2022.

P C. :-

1. Heard learned advocate for the applicant. He points out that in spite of service, none appears for respondent. Learned advocate seeks leave to file appeal against acquittal challenging the order passed by the learned J.M.F.C., Majalgaon dated 02.07.2019 thereby dismissing the complaint for default. While filing this application there is delay of Forty Nine (49) days for the reasons stated in paragraph Nos. 6 and 7.

2. Considering the fact that, delay is only of Forty Nine (49) days and it is caused for the reasons stated in paragraph Nos. 6 and 7, the same needs to be condoned. Hence, the following order.

ORDER

(I) Criminal Application No. 3606 of 2019 is hereby allowed.

(II) Delay of Forty Nine (49) days is condoned.

(III) Office to register the application seeking leave to file appeal by private party.

(IV) Place the main application for consideration on 24.11.2022.

(V) Criminal Application No. 3606 of 2019 is disposed of accordingly.

(KISHORE C. SANT, J.)

PS.B.