

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

21 APPLN. FOR LEAVE TO APPEAL BY PVT. PARTY NO.98 OF 2022
IN /0/

JALGAON JANATA SAHAKARI BANK LTD., JALGAON THROUGH
ITS DNYANESHWAR PUNDALIK ANDHALE
VERSUS
SATISH KASHINATH WANI

...
Advocate for Appellants : Mr. A. N. Nagargoje
Advocate for Respondent : Mr. D. A. Bide

....
CORAM : SANDIPKUMAR C. MORE, J.
DATED : 30/10/2023.

P. C. :

1. Heard rival submissions.

2. Though the learned counsel for the respondent / accused has opposed the application by filing an affidavit in reply, but it appears that the original complaint of the applicant under Section 138 of N. I. Act was dismissed as the applicant did not prosecute the case diligently. As such, at least leave to challenge the said order dated 16/09/2022 can be granted irrespective of merit. Thus, the application is allowed. The appeal of the applicant be registered after removal of office objections, if any. The application is accordingly disposed of.

3. Place the appeal for final hearing at admission stage on 04/11/2023. The learned counsel Mr. D. A. Bide for respondent in the appeal, waives notice.

(SANDIPKUMAR C. MORE, J.)

VS Maind/-