



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

APPLN. FOR LEAVE TO APPEAL BY PVT. PARTY NO. 42 OF 2024

Uddhav Badrinath Dandge

VERSUS

Gass Infratech

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Ms. Ashwini Lomte, Advocate for appellant

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CORAM : NITIN B. SURYAWANSHI, J.

DATE : 19th AUGUST, 2024

ORDER :

1. This application is filed seeking leave to file appeal against judgment and order dated 01.01.2024 passed by learned Judicial Magistrate First Class, Aurangabad in S.C.C. No. 9766/2018.

2. Heard learned advocate for applicant. Though served, none appears for the respondents. Perused the impugned judgment and order.

3. Complaint filed by applicant under section 138 of Negotiable Instruments Act is dismissed for absence of complainant and accused is acquitted under section 256 of Code of Criminal Procedure. *Prima facie*, impugned judgment and

Bhagyawant Punde

order is unsustainable. Hence, leave is granted to file appeal against impugned judgment and order dated 01.01.2024 passed by learned Judicial Magistrate First Class, Aurangabad in S.C.C. No. 9766/2018.

4. Appeal be registered.

5. List the appeal for further consideration on 27th August, 2024.

[NITIN B. SURYAWANSHI, J.]