



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

**APPLICATION FOR LEAVE TO APPEAL BY PRIVATE PARTY
NO. 50 OF 2024**

VILAS BHAURAO BHAMRE
VERSUS
AVINASH BANSILAL NERKAR AND ANOTHER

...
Mr. Chetan B. Chaudhari, Advocate for Appellant
...

CORAM : NITIN B. SURYAWANSHI, J.

DATE : 22nd AUGUST, 2024

PER COURT :

1. Though served, none appears for respondents.
2. Complaint under Section 138 of Negotiable Instruments Act, filed by applicant is dismissed in default by the Trial Court.
3. On perusal of record the impugned order *prima facie*, appears to be passed erroneously and the same is unsustainable. Hence, the leave is granted to file appeal against the impugned order of dismissal of complaint resulting in acquittal of the accused. Appeal be registered.
4. List the appeal for further consideration on 29/08/2024.

(NITIN B. SURYAWANSHI, J.)