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CR APPLICATION NO. 4351 OF 2023

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

**919 CRIMINAL APPLICATION NO. 4351 OF 2023
IN ALPST/12312/2023**

MANGALA SUKHDEV JADHAV

VERSUS

SANGITA SUDHAKAR JADHAV AND ANOTHER

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Advocate for Applicant : Mr.U.A.Sayyed h/f. Mr. Syed Azizoddin R.

Advocate for Respondent no.1 : Mr.S.F.Gajre h/f. Mr. Rahul
Pralhadrao Mote

APP for Respondent no.2 : Mrs.Chaitali Choudhari - Kutti

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CORAM : ABHAY S. WAGHWASE, J.

DATE : 05 APRIL, 2024

PER COURT :-

1. Heard.
2. This is an application for condonation of delay of 256 days caused in filing application for leave to appeal.
3. According to learned Advocate for applicant, applicant is a lady. That there was no communication between her and her Advocate. That she learnt about decision in the matter only after judgment was passed. That she intends to file appeal. That there was no intentional delay. So he prays to allow the application.

4. Other side has strongly objected by submitting that there was utter negligence in not filing application for leave to file appeal within stipulated period. According to learned Advocate for respondent no.1 and learned APP for respondent no.2 no good ground is made for condoning the delay.

5. As a fair opportunity, delay of 256 days is required to be condoned. Accordingly, I proceed to pass following order :

ORDER

- (i) Criminal Application No.4351 of 2023 is allowed.
- (ii) Registry to verify and register the application for leave to file appeal.

(ABHAY S. WAGHWASE)
JUDGE