



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

**CRIMINAL APPLICATION NO.712 OF 2023 IN
CRIMINAL APPLICATION NO.711 OF 2023 IN
CRIMINAL APPLICATION NO.744 OF 2022**

(Sunita w/o Suresh Pantavane Vs. State of Maharashtra and ors.)

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. V.K. Nankani, Advocate for the applicant.
Mr. N. Autkar, APP for the State.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- MARCH 21, 2024

The application is filed for condonation of delay which is caused in preferring the restoration application.

2. Learned Counsel for the applicant submitted that as there was a confusion as to the date, and therefore, nobody has attended the said proceeding. It was not intentional one. The applicant came to know about the dismissal order at a later stage and immediately thereafter she filed an application. The delay is not intentional one. In view of that it be condoned.

3. Learned Additional Public Prosecutor strongly opposed the application on the ground that after sufficient opportunity the matter remain unattended, and therefore, it is dismissed for want of prosecution.

4. I have heard learned Counsel for the parties. Perused the grounds raised in the application. The reasons

mentioned in the application appears to be reasonable and satisfactory. Moreover, it is well settled that while considering the delay application liberal approach is to be taken and not pedantic approach. Accordingly, the application is allowed and delay of 50 days is condoned.

5. The application is disposed of accordingly.

(URMILA JOSHI-PHALKE, J.)

**Divya*