



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (APPA) NO. 683 OF 2024
IN
CRIMINAL APPEAL STAMP NO. 5840 OF 2024

Abdul Azizbhai s/o Umarbhai Opai (deceased) thr. his legal representatives
Yunusbhai s/o Azizbhai Opai

Vs

Mahesh Parmanand Uttamani thr. its Proprietor.

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

Court's or Judge's Order

Mr. C.F. Bhagwani, counsel for applicant/appellant.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 25/07/2024.

1. By this application, the applicant is seeking condonation of delay, which is caused in preferring the appeal against the acquittal.

2. As per the contention of the applicant that, the complaint was filed through power of attorney, and his power of attorney went to Hyderabad for some urgent work therefore, he could not approach the counsel, and not preferred the appeal within time. Hence, there is just and reasonable cause for condonation of delay.

3. Considering the reasons mentioned in the application and the well settled principal that the liberal approach is to be taken while considering the delay application, the delay is condoned. The application is allowed.

4. The application for leave to file appeal be registered.
5. On registration of the application, notice be issued to respondent.
6. Stand over after **four weeks**.

[URMILA JOSHI-PHALKE, J.]