

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION

APPLICATION FOR LEAVE TO APPEAL(PVT.)(ST) NO. 12240 OF 2025
WITH
INTERIM APPLICATION NO. 2274 OF 2025

Kshitijkumar Lalasaheb Giri ...Applicant
Versus
Devar Developers Constructions
Thr Proprietor Santosh Raghunath Puri ...Respondent

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Mr. Kastur Patil, for Applicant.

Mr. Nitin B. Patil, APP for the respondent-State.

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CORAM : SHIVKUMAR DIGE, J.

DATE : 18th DECEMBER, 2025

P.C.

INTERIM APPLICATION NO. 2274 OF 2025 :

1. Heard learned counsel for the applicant and learned APP for the respondent-State.
2. By this application, the applicant is seeking condonation of delay of 278 days for filing the Application for leave to appeal.
3. Considering the submissions of both learned counsel and reasons mentioned in the application, delay of 278 days for filing the Application for leave to appeal is condoned. The application is allowed and disposed off.

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4. Heard learned counsel for Applicant and learned APP for the Respondent -State.
5. Learned counsel for Applicant on instructions seeks leave to withdraw this application with liberty to file application before the learned Sessions Court as per the view of the **Hon'ble Apex Court in the case Celestium Financial Vs. Ghanasekaran Etc¹**.
6. Considering the submission of learned counsel for Applicant, Application is allowed to be withdrawn with aforesaid liberty.
7. Application is dismissed and disposed of as withdrawn.
8. Learned Sessions Court shall consider the delay, if appeal is filed as application was pending before this Court.

(SHIVKUMAR DIGE, J.)

1 2005 SC 2099