

ORDER BELOW APPLICATION FILED FOR CONDONATION OF DELAY

1. Perused the application along with supporting affidavit and documents on record. Heard Ld. Adv. for the complainant. This complaint is filed under Section 138 of the Negotiable Instruments Act. There is 65 days delay in presentation of the complaint and complainant prayed for condonation of delay.

2. It is submitted by the complainant that delay is caused entirely by the non availability and personal difficulties of his Advocate. Therefore, he could not manage to file the said complaint within time. There is delay of 65 days in filing this complaint and it is not intentional. In view of Case Law Reported in AIR 2014 SC 448 this application stands allowed. Hence, I proceed to pass following order :-

ORDER

Application stands allowed. Delay in presentation of the complaint is hereby condoned. The complainant is allowed to present complaint, after payment of requisite Court fees. The case be registered and entry be made in the register.



(**S. D. Kamat**)
Metropolitan Magistrate,
43rd Court, Borivali, Mumbai
Date : 08/03/2021.