

ORDER BELOW EXH. 3 IN C. C. NO. 483/MISC./2025

01. This is an application for condonation of delay of 93 days caused in lodging of a complaint for offence under section 138 of the Negotiable Instruments Act (for short "*the N.I. Act*")

02. Read the application. Notice was issued to the non-applicants by RLAD. The non-applicants appeared and filed reply vide Exh. 05.

03. It is the contention of the complainant that, the applicant filed complaint in Mazgaon Court on 30.10.2024. As per the objection taken by the Court the applicant withdraw the complaint and filed this complaint before this Court and for that purpose there was delay in filing the complaint. Hence, filed this application. The application is resisted on the ground that, the reason given in the application is not satisfactory. Hence, present application be rejected.

04. Upon hearing both the sides, considering reason mentioned in the application the delay is not intentional or deliberate. Hence, it is liable to be condoned by imposing costs. Hence, order :-

ORDER

01. Application is allowed subject to costs of Rs.2,000/- payable by the applicant to the District Legal Services Authority, Mumbai within 15 days from today. The delay is condoned.

02. The Judicial Clerk to register the complaint in accordance with law after verifying payment of requisite Court Fees.

Sd/-

(M. R. Dhanorkar)

Judicial Magistrate First Class,
7th Court, Dadar, Mumbai.

Date : 27.01.2026