
(2010) 12 GUJ CK 0122

In the Gujarat High Court

Case No : Criminal Miscellaneous Application No. 14763 of 2010 in Criminal
Revision Application No. 577 of 2010

State of Gujarat and Another

APPELLANT

Vs

Nikhil Vijaybhai Ardeshana

RESPONDENT

Date of Decision : 29-12-2010

Acts Referred:

Limitation Act, 1963 — Section 5

Citation : (2010) 12 GUJ CK 0122

Hon'ble Judges : Mukesh R. Shah, J

Bench : Single Bench

Advocate : L.R. Pujari, APP s 1 - 2, for the Appellant; Amar D. Mithani, for the Respondent

Final Decision : Allowed

Judgement

M.R. Shah, J.—RULE. Mr. Amar D. Mithani, learned advocate waives the service of notice of notice of rule on behalf of the Respondent.

2. With the consent of the learned advocates appearing on behalf of the respective parties and in the facts and circumstances of the case, present application is taken up for final hearing.

3. Present application, u/s 5 of the Limitation Act, has been preferred the applicant - State of Gujarat and another, to condone the delay of 29 days caused in preferring the Criminal Revision Application challenging the judgment and order dtd.29/6/2010 passed by the Additional Sessions Judge, Junagadh in Criminal Appeal No. 6 of 2010.

4. Having heard the learned advocates appearing on behalf of the respective parties and considering the averments made in the application in support of the prayer to condone the delay and so as to see that the applicants are given an additional opportunity of being heard to submit the case on merits rather than non-suiting them on the technical ground of delay, present application is allowed

and the delay caused in preferring the Criminal Revision Application is hereby condoned. Rule is made absolute accordingly.