

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD**

**CRIMINAL WRIT PETITION NO. 548 OF 2015**

Dnyaneshwar S/o Dawda Rathod

Age : 44 Yrs., Occ. Agriculture,

R/o : Viregavhan Tanda,

Tal. Ghansavangi, Dist. Jalna.

**.... PETITIONER**

**V E R S U S**

1. The Gramvikas Adhikar  
[Gramsevak], Grampanchayat  
office, Viregavhan Tanda,  
Tal. Ghansavangi, Dist. Jalna.

2. Tukaram s/o Damu Pawar  
Age : 65 Yrs., Occ. Agriculture,  
R/o : Viregavhan Tanda,  
Tal. Ghansavangi, Dist. Jalna.

**.... RESPONDENTS**

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Mr. S.D.Joshi, Advocate for Petitioner.

Mr. M.M.Joshi, Advocate for Respondents.

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**CORAM : V.M.DESHPANDE, J.**

**DATE OF JUDGMENT : 31<sup>st</sup> JULY, 2015**

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**ORAL JUDGMENT :**

1. Rule. Rule is made returnable forthwith. Heard finally by the consent of the learned counsel for the parties.
2. Heard Mr. S.D.Joshi, learned Counsel for the petitioner and Mr. M.M.Joshi, learned counsel for respondent Nos. 1 and 2.
3. Challenge in the present Criminal Writ Petition is the Judgment and Order passed by the learned Sessions Judge, Jalna dated 02/04/2015 in Criminal Revision Petition No. 21/2015.
4. Respondent No. 2 herein preferred Revision before the Sessions Court to challenge the order passed by the learned Judicial Magistrate First Class, Ghansavangi, Dist. Jalna in Criminal Misc. Application No. 165/2014, by which the application filed on behalf of present petitioner for taking the entry of date of birth of his son was allowed. Revisional petitioner was not party in the original proceedings.

5. I have perused the Judgment and Order impugned. Said Judgment and Order passed by the learned Sessions Judge is most cryptic. It is expected from the learned Sessions Judge to record the reasons in detail. Through reasons only litigants knows the mind of the Judge. Learned Sessions Judge has not given any reasoning as to why the matter is required to be remanded. Further, he has also not given thoughtful consideration about the maintainability of the Revision.

6. In that view of the matter, the Judgment and Order passed by the revisional Court is set aside. The matter is remanded back to the learned Sessions Judge, Jalna to decide Criminal Revision Petition No. 21/2015 in accordance with law.

7. Rule is made absolute in above terms.

**[V.M.DESHPANDE, J.]**