

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 373 OF 2014
(FOR DELAY)

IN

CRIMINAL REVISION APPLICATION (ST) NO. 471 OF 2014

Shri. Irfan Nawab Shaikh

.....Applicant

V/s.

Smt. Nazneen Irfan Shaikh

.....Respondent

* * * * *

Mr. Vivek Salunkhe, Advocate for the applicant.

Respondent and Advocate absent.

CORAM :- SMT. R.P. SONDURBALDOTA, J.

DATED :- 8TH AUGUST, 2016.

P.C. :-

1 This Civil Application is for condonation of delay of 426 days in filing the Revision Application to challenge the order dated 25th June, 2013. The delay has been explained at para-3 of the application, wherein the applicant claims that on account of certain work related issues, he had to leave his job. Then, he went to his native place and started searching for employment at various places. In that process, he lost track of the matter pending before the Family Court. He was also under bonafide belief that, his Advocate

would attend to the proceedings. At the relevant time, the proceedings had reached the stage of trial and the respondent had filed the affidavit of examination-in-chief. Because the applicant did not attend the Court, order of “No cross” came to be passed.

2 The reason for delay set out in the application is without any details whatsoever. The petitioner does not disclose the date on which he left the job, the date on which he went to his native place, what were the efforts made by him to search employment. He claims that he learnt about the impugned order in the month of August, 2014 on receipt of notice of execution proceedings. He, however, does not specify the date. The present application is dt.20th December, 2014. The delay after the knowledge in approaching this court is also unexpired. Therefore, it cannot be said that the petitioner has made out sufficient cause for condonation of delay. Hence, the application is dismissed.

3 In view of dismissal of the application for condonation of delay, the Criminal Revision Application does not survive. The same is accordingly disposed off.

(SMT. R.P. SONDURBALDOTA, J)