

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE No.1932 of 2015

ORDER:

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1. This Criminal Revision Case is filed by the petitioner aggrieved by the order dated 13.8.2015 passed in CrI.M.P.No.1391 of 2015 by the Metropolitan Sessions Judge, Hyderabad.

2. The petitioner filed the above CrI.M.P. before the learned Metropolitan Sessions Judge seeking to condone the delay of three days in preferring the appeal under Section 29 of the DVC Act against the judgment dated 7.5.2015 passed by the IV Metropolitan Magistrate, Hyderabad in D.V.C.No.92 of 2012. The learned Sessions Judge dismissed the said CrI.M.P. Aggrieved by the same, the petitioner filed this revision.

3. Heard and perused the material available on record.

4. The Court below passed the order impugned on the ground that there was no representation on behalf of the petitioner and that no process was filed.

5. It is the case of the petitioner that on 13.8.2015, she could not appear before the Court below as she was suffering from fever and that her advocate was busy on the said date in attending the call work in other Courts and therefore, there was no representation on her behalf. It is the further case of the petitioner that she filed the above CrI.M.P. with process and the Court below without verifying the case bundle, dismissed the above petition.

6. Considering the facts and circumstances of the case, this Court is inclined to pass the following order:

“The order dated 13.8.2015 passed in CrI.M.P.No.1391 of

2015 by the learned Metropolitan Sessions Judge, Hyderabad, is set aside. Consequently, the said Crl.M.P. is restored. The learned Metropolitan Sessions Judge, Hyderabad, is directed to dispose of the above Crl.M.P. after hearing both the parties.”

7. Accordingly, the Criminal Revision Case is disposed of. Consequently, Miscellaneous petitions pending, if any, shall stand closed.

JUSTICE RAJA ELANGO

Dated: 28th June, 2016

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