

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

6 CRIMINAL APPLICATION NO. 2082 OF 2017
IN REVN ST/121/2017

NAIM KHAN S/O. HABIB KHAN
VERSUS
THE STATE OF MAHARASHTRA AND ANR

...

Advocate for Applicant : Mr. Shaikh Mazhar A.
Jahagirdar

Mr. RB Bagul, APP for Respondent-State.

CORAM : P.R.BORA, J.

DATE : 28th November, 2017.

PER COURT :

- 1) Heard learned Counsel for applicant and learned APP for Respondent No.1-State;
- 2) Respondent No.2 though is duly served, none has entered appearance for and on behalf of the said respondent.
- 3) Delay of 310 days has occurred in filing the present revision application. It is submitted that the counsel, who was appearing for the applicant in the first appellate court, did not remain present and the matter was decided in his absence. It is further submitted that the

learned Counsel thereafter did not communicate the said decision to the present applicant and as such, the applicant could not file the present revision within the stipulated period of limitation.

4) In view of the reasons, as aforesaid, which according to me are just and sufficient, the delay caused in filing the present revision, is condoned. The Criminal Revision Application be registered in accordance with law.

5) On registration of the revision, issue notice to the respondents, returnable after six weeks. Learned APP waives service for Respondent No.1.

(P . R . B O R A , J .)

bdv/