

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR

CRIMINAL APPLICATION (APPR) NO.40 OF 2017
IN
CRIMINAL REVISION APPLICATION NO..... OF 2017

Yogesh Himmatlal Patel
..VS..
Bindu Wd/o Bhadresh Patel and ors

.....
Office Notes, Office Memoranda of Coram,
appearances, Court orders or directions
and Registrar's orders
.....

Court's or Judge's Order

Shri V.R. Deshpande, Counsel for the applicant.
Shri A.R. Deshpande, Counsel for non-applicant No.1.
Shri Chauhan, Counsel for non-applicant No.3.
Mrs. K.R. Deshpande, Addl.P.P. for non-applicant No.2/State.

CORAM : V.M. DESHPANDE, J.
DATED : AUGUST 21, 2017.

This is an application for condonation of delay.

The appeal filed on behalf of non-applicant No.1, under Section 29 of the Domestic Violence Act, 2005, is allowed by the Lower Appellate Court. The wisdom of the Lower Appellate Court is questioned by the applicant by filing a revision before this Court. However, there is a delay of 63 days in filing the revision.

I have heard learned counsel Shri V.R. Deshpande for the applicant, learned counsel Shri A.R. Deshpande for non-applicant No.1, learned counsel Shri Chauhan for non-applicant No.3, and learned Additional Public Prosecutor Mrs. K.R.

Deshpande for non-applicant No.2/State.

Learned counsel Shri A.R. Deshpande for the contesting party fairly states that he has no objection for condoning delay of 63 days. However, he submits that reasonable amount of costs be imposed upon the present applicant.

Learned counsel for the applicant submits that the applicant is doing the business of Courier Services and also having other business.

For the reasons stated in the application and in view of fair statement made by learned counsel for non-applicant No.1, delay of 63 days in filing the revision is hereby condoned. However, it shall be subject to payment of costs of Rs.5,000/- by the applicant to non-applicant No.1 within a period of one week from today. If the costs are paid, learned counsel Shri A.R. Deshpande should pass a receipt of the same. On filing of the receipt in the Office showing the payment of costs, Office is directed to register the revision and place the same for admission. If the revision is registered, the same be placed along with Criminal Writ Petition No.128 of 2017.

JUDGE

!! BRW !!

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