

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

CRIMINAL APPLICATION (APL) NO.833 OF 2016

Chandramani s/o Govindrao Dongre, Panchshil Nagar, Nagpur
Vs.
The State of Maharashtra, Thr. PSO PS Pachpawali, Nagpur

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Office Notes, Office Memoranda of Coram,
appearances, Court orders or directions
and Registrar's orders
Court's or Judge's Order
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Shri A. S. Band, Advocate for applicant.
Shri T. A. Mirza, APP for respondent/State.

CORAM: P. N. DESHMUKH, J.

DATED: April 07, 2017.

By this application the applicant prays for quashing of impugned order dated 21/09/2016 passed by the learned Additional Sessions Judge, Nagpur by which extension of time time to deposit costs of Rs.500/- was rejected.

It appears that while condoning delay the Court had imposed costs as aforesaid to be paid within fifteen days from the date of order i.e. 16/06/2016 with DLSA, Nagpur.

Learned counsel for the applicant submits that the applicant is physically challenged and was not having anybody to assist him to

pay the costs to DLSA, Nagpur and in that event time of fifteen days is lapsed.

The learned Additional Sessions Judge found that there is no provision to recall his own order and refused the prayer by the impugned order.

It appears that applicant had challenged the revision against rejection of discharge for the offence punishable under Sections 143, 147, 148, 149, 326, 452 and 426 of IPC. Considering the fact that applicant is physically challenged, to which there is no challenge.

Application is liable to be allowed as per following order :

- i) Applicant to deposit costs of Rs.500/- with DLSA, Nagpur as per order dated 16/06/2016 passed below Exhibit-1 by the learned Additional Sessions Judge-9, Nagpur on or before 17/04/2017.
- ii) On depositing the costs as aforesaid, eighteen days delay caused in preferring revision shall stand condoned.

Application is allowed in above terms.

JUDGE