

1. This is an application for restoration of Criminal Revision Application No.530 of 2016 by recalling order dated 9th March 2018.
2. The revision applicant had preferred Criminal Revision Application No.530 of 2016 challenging the orders passed by the subordinate Courts granting maintenance. The respondent had preferred Criminal Application No.411 of 2017 before this Court for vacating the interim relief granted earlier in the revision application. This Court by order dated 9th March 2018 directed the applicant to deposit Rs.5,00,000/- towards arrears of maintenance before the Trial Court and file the proof of the same before the registry of this Court by 28th March 2018, failing which the revision application shall stand dismissed without further reference to the Court. It was observed that respondent-wife will be entitled to withdraw the amount as stated above subject to final outcome of the revision.

3. The said amount as directed in order dated 9th March 2018 was not deposited within the stipulated time and in accordance with the conditional order, the revision application has been dismissed. It is submitted that talks of settlement were going on between the parties and on account of several reasons the amount as directed could not be deposited. The submissions are rebutted by learned counsel for respondent.

4. The order dated 9th March 2018 was passed in the light of the observations made therein and, therefore condition to deposit or permission to withdraw, as directed by this Court, cannot be disturbed. Learned counsel for applicant on instructions submitted that a sum of Rs.5,00,000/- as directed by this court, will be deposited in this Court on or before 13th July 2018. The statement is accepted as an undertaking to this Court. The revision application shall restore to the file subject to depositing Rs.5,00,000/- in this Court on or before 13th July 2018, which is allowed to be withdrawn by the respondent-wife in accordance with clause-(ii) of order dated 9th March 2018 subject to outcome of the revision application. Criminal Application No.218 of 2018 is disposed of.

(PRAKASH D. NAIK, J.)

MST