

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.148 OF 2016
IN
CRIMINAL REVISION APPLICATION NO.192 OF 2015

Omar Haroon Shaikh	Applicant
versus	
Almas Mehmood Whewaria and another	Respondents

Mr.Ayaz Khan for Applicant.
Mr.Shoaib I. Menon for Respondent no.1.

CORAM : A.A.SAYED AND
PRAKASH D. NAIK, JJ.

DATE : 26th June 2019

PC :

1. By consent, the Criminal Application No.148 of 2016 is taken on board and heard. The prayers in the Criminal Application are as follows :

“(a) Recall the order dated 10-2-2016 passed by this Hon’ble Court i.e. (Coram : Shri Naresh Patil and Shri A.A.Sayed, JJ.) rejecting the Revision Application,

(b) Order the revival of Revision Application No.192 of 2015.”

2. We have perused the order dated 10th February 2016 as well as the order dated 5th October 2015. We find that on 5th October 2016 the request for interim relief was refused by the Court. There is also a finding of the Division Bench in the order dated 10th February 2016 that the amount of maintenance has been assessed reasonably. In the circumstances we are not inclined to recall the order dated 10th

February 2016 or revive the Criminal Revision Application No.192 of 2015. Since the present Criminal Application has been pending in this Court for last more than three years, it would be open for the Applicant to challenge the order dated 10th February 2016 before the Apex Court.

3. The Criminal Application is dismissed.

(PRAKASH D. NAIK, J.)

(A.A.SAYED, J.)

MST