

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

Criminal Application [APPR] No.284 of 2018

Sau. Prarthana Janardhan Shirsat & another
vs.
Janardhan Devidas Shirsat

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

Court's or Judge's Orders

Shri U.J. Deshpande, Advocate for the Applicants.
Shri P.S. Girdekar, Advocate for the Non-Applicant.

CORAM : S.M. MODAK, J.
DATE : 1st MARCH, 2019.

Heard.

Family Court, Akola enhanced monthly maintenance of applicant No.1 - wife from Rs.1,400/- to Rs.5,000/- and that of applicant No.2 - daughter from Rs.1,000/- to Rs.5,000/- per month. These applicants as well as non-applicant - husband is aggrieved by the said order. The non-applicant - husband has challenged the said order by way of Criminal Revision No.40/2018. Both these applicants also want to challenge the said order on the ground that the enhancement is inadequate. There is a delay of 206 days in preferring criminal revision and that is why they are asking for condonation of delay. Yet notice in this matter is not issued.

The learned Counsel for the non-applicant - husband is present, as the connected revision is also fixed on today's board. When told to him, he has agreed to waive the notice. Accordingly, I have heard the learned Counsel for the applicants and the learned Counsel for the non-applicant - husband.

Due to lack of support and financial difficulty, the applicants could not prefer the revision in time. First, they received the notice of the criminal revision preferred by the husband. The reasons offered for condonation of delay are sufficient. So also, this Court is going to verify the legality of the order otherwise also in connected revision. Hence, the delay needs to be condoned. It is submitted that compromise talks are going on. Even if this application is decided, those talks can be continued. Hence the order.

The application is allowed. Delay of 205 days caused in preferring criminal revision is condoned. Criminal revision be registered.

Criminal Revision No. _____/2019 :

Heard.

Issue notice to the non-applicant.

The learned Counsel for the non-applicant dispenses with the notice.

Stand over the matte with Criminal Revision No.40/2018 after two weeks.

JUDGE

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