

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

CRIMINAL APPLICAITON (APPR) No. 321 OF 2018
IN
CRIMINAL REVISION APPLICATION No. OF 2019

Deepak S/o. Vikramsingh Yadav
..VS..
Lelawati w/o Deepak Yadav

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

Court's or Judge's orders

Shri. R. B. Dhore, Advocate for the applicant.
Shri. M. V. Rai, Advocate for the non-applicant.

CORAM : Manish Pitale J

DATED : 06.08.2019

Heard learned counsel for the applicant.

2. The present application is filed for condonation of delay of 120 days in filing accompanying revision application. It is stated that in the application for condonation of delay that, since the applicant is working with the Central Reserve Police Force (CRPF) and he was on duty at outstation, he became aware of impugned order much later. It is claimed that immediately upon becoming aware of the order, the applicant took steps to challenge the same, which has resulted in preferring the aforesaid application.

3. Upon notice being issued, counsel has entered appearance for the non-applicant.

4. For the reasons stated in the application, the application is allowed and delay is condoned.

Criminal Revision Application No. /2019

Heard learned counsel for the applicant.

2. It is pointed out that the Family Court at Nagpur committed an error in enhancing the quantum of maintenance of Rs.3500/- to Rs.15000/- on the basis of gross salary, though the salary certificate of the applicant shows that he was not drawing salary of Rs.66970/- p.m.

3. The learned counsel for the applicant invited attention of this Court to a communication sent by the Senior Record Officer of the organization, in which the applicant is working, as also a certificate of net salary issued in favour of the applicant, to contend that the figure considered by the Family Court while enhancing the quantum of maintenance is erroneous.

4. Issue notice for final disposal, returnable on 14.08.2019. Mr. Mahesh Rai, learned counsel waives notice on behalf of non-applicant.

JUDGE