

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL WRIT PETITION NO. 1526 OF 2021

Nirmala Ravindra Tayde and Others ..PETITIONERS

VERSUS

State of Maharashtra and Another ..RESPONDENTS

....
Mr. B.R. Kedar, Advocate for petitioners
Mrs. G.L. Deshpande, A.P.P. for respondent no.1 - State
....

**CORAM : R.G. AVACHAT, J.
DATED : 22nd APRIL, 2022**

PER COURT :

1. Heard.

2. The challenge herein is to the rejection of the application for condonation of delay in filing revision against the order of issuance of process. It is informed that learned revisional Court calculated the period from the date of issuance of process and not from the date of receipt of summons pursuant to the order sought to be impugned in the revision. It is informed that it is in fact the case of delay of eighty four days.

3. Learned A.P.P. opposes. Learned counsel for Respondent No.2 is not present.

4. Since it is a case of delay of eighty four days, criminal writ petition is allowed in terms of prayer clause [B]. The learned revisional Court shall decide the revision on it's own merits after hearing the parties thereto.

(R.G. AVACHAT, J.)

SSD