

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

CRIMINAL APPLICATION (APPR) NO. 129 OF 2020

in

CRIMINAL REVISION APPLICATION

Saurabh Dilip Sharma..Versus...Mrs. Swati Saurabh Sharma

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

Court's or Judge's orders

Mr. S.R.Jaiswal, Advocate for the applicant
Mr. K.S.Ghatate, Advocate for Respondent

CORAM : AVINASH G. GHAROTE, J.

DATE : 09/02/2022

1] Hearing was conducted through Video Conferencing and the learned counsel agreed that the audio and visual quality was proper.

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2] Criminal Application (APPR) No. 129/2020 seeks to condone the delay of 161 days in challenging the order dated 03.01.2020 passed by the Family Court, Nagpur.

3] Considering the reasons given which includes Covid-19 and accepting the same, the delay is condoned, in spite of the oppose by Mr. K.S. Ghatate, learned counsel for the respondent. The application stands disposed of.

4] Office to register the criminal revision.

Criminal Revision Application No._____/2022.

5] Issue notice to the respondent, returnable in one week.

6] Mr. K.S.Ghatate, learned counsel waives notice for respondent.

7] Mr. Jaiswal, learned counsel for the applicant requests for an interim relief.

8] The arrears of interim maintenance since October, 2010 are stated to be Rs. 7,80,000/- and Mr. Jaiswal, learned counsel for the applicant, upon instructions makes a statement that the applicant would be willing to deposit an amount of 25% of the arrears within a period of one week. He further submits that he has a good case on merits.

9] Mr. Ghatate, learned counsel for the respondent opposes the same and submits that at least 50% of the arrears be directed to be deposited.

10] Considering the intervening period which was affected by Covid-19, there shall be an interim stay to the

impugned order, subject to the applicant depositing 40% of the arrears as indicated above, within a period of one week and the payment of Rs.10,000/- per month to the respondent henceforth, during the pendency of the revision.

11] Mr. Ghatate, learned counsel for the respondent to file his reply on affidavit in compliance with what has been held by Apex Court in **Rajnesh Vrs. Neha (2021 AIR SC 569)** within a period of two weeks from today.

JUDGE

Rvjalit