

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

**CRIMINAL APPLICATION (APPR) NO.347 OF 2019**  
**IN**  
**CRIMINAL REVISION APPLICATION NO.                      OF 2019**

Pankaj S/o Bhimraoji Kadam .Vs. Sau. Aparna W/o Pankaj Kadam and others

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

Court's or Judge's Order

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Shri N.S. Warulkar, Advocate for the applicant.

**CORAM : ANIL S. KILOR, J.**

**DATED : 11/10/2022**

1. Heard Shri Warulkar, learned counsel for the applicant. None for the non-applicants though served.
  
2. After going through the record, it appears that the impugned judgment and order is ex parte and on service of notice of execution proceeding, the applicant got knowledge about the impugned judgment and order dated 26.10.2017. Hence, a delay was caused to file the revision application.
  
3. The learned counsel for the applicant, on instructions, makes a statement that the applicant is ready to deposit Rs.1,50,000/- to show his bonafides and accordingly, he prays for allowing the present application.

4. Considering the fact that, the impugned order was passed ex parte and on receiving the notice in execution proceeding, the applicant got knowledge about the impugned judgment and order, I am of the opinion that, the applicant has explained the delay caused in filing the revision application. In the circumstances, in view of the undertaking given by the applicant that, he is ready to deposit Rs.1,50,000/-, I pass the following order:

- a) The criminal application is **allowed**.
- b) Delay is condoned subject to deposit of Rs.1,50,000/- as undertaken by the applicant, within eight weeks from today.
- c) The applicant shall deposit Rs.25,000/- out of Rs.1,50,000/-, within one week from today.
- d) Failure to deposit the amount, as referred above, the application shall stand rejected.
- e) On deposit of amount, the office is requested to register the revision application and place the same for Admission.

**JUDGE**