

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.230 OF 2023
IN REVNST/524/2023

DR. SHAIKH FAROOQ YUNUS
VERSUS
SUMAIYYABI PARVEEN SHAIKH FAROOQ AND OTHERS

...
Advocate for Applicant : Ms. Priya R. Bharaswadkar
Advocate for Respondents : Md. Ibrahim Ismail Shaikh
...

CORAM : S. G. MEHARE, J.

DATE : 07-07-2023

PER COURT :-

1. Heard the learned counsel for the applicant and the learned counsel for the respondents.
2. The applicant is seeking condonation of 44 days delay in preferring the revision application against the impugned judgment and order of the learned Family Court, Dhule.
3. The learned counsel for the applicant would submit that the reasons assigned in the application for condonation of delay caused in filing revision are genuine, proper, sufficient and reasonable. Hence, the application may be allowed.
4. The learned counsel for the respondents would submit that it is an attempt to harass a poor victim. The reasons assigned for

delay are not proper and reasonable. Hence, the application may be rejected.

5. Perusal of the reasons for condonation of delay appear probable. There were sufficient reasons for the applicant that restrained him to approach the Court in time. There is a short delay of 44 days. It cannot be said that the delay was deliberate. Hence, the order:-

- i) Criminal Application is allowed.
- ii) The delay of 44 days in preferring the revision application against the impugned judgment and order of the learned Family Judge, Dhule, stands condoned.
- iii) The Registry is directed to register the revision application as per the law.
- iv) Upon registration, issue notice to the respondents.
- v) Md. Ibrahim Ismail Shaikh, learned counsel waives service of notice for the respondents.
- vi) List the revision application on 20.07.2023.

**(S. G. MEHARE)
JUDGE**

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