

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.3329 OF 2022
IN REVNST/9222/2022

VINOD GUNDERAO BHANDE
VERSUS
ANITA W/O. VINOD BHANDE

...
Advocate for Applicant : Mr. Amar V. Lavte
Advocate for Respondent : Mr. Bramhanand M. Dhanure
...

CORAM : S. G. MEHARE, J.

DATE : 06-03-2023

PER COURT :-

1. Heard the learned counsel for the applicant and the learned counsel for the respondent.
2. The applicant is seeking condonation of 123 days delay in filing revision application against the order granting maintenance.
3. The learned counsel for the applicant would submit that the applicant is a teacher. He was busy with examination and paper checking of the students. Hence, he could not contact with the lawyer. There is no deliberate delay in filing the revision application.
4. The learned counsel for the respondent opposed the application. He would submit that the applicant was in huge arrears of maintenance.

5. Perused the application. The reasons mentioned in the application appear plausible. There is no stay to the execution of the impugned order. The respondent has a remedy to recover the amount of arrears of maintenance in the execution proceeding which is pending. That may not be a ground to reject the application for condonation of delay.

6. For the reasons mentioned in the application, the same is allowed in terms of prayer clause 'B'.

7. The Registry is directed to register the criminal revision application.

8. After registration, issue notice to the respondent, returnable on 10.04.2023.

9. Mr. Dhanure, the learned counsel waives service of notice for respondent.

(S. G. MEHARE)
JUDGE

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