

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

39 CRIMINAL APPLICATION NO.4211 OF 2022
IN REVNST/11703/2022

NUSRAT JAHAN @ GUDDI W/O. MUNIRODDIN SHAIKH AND OTHERS
VERSUS

MUNIRODDIN SHAIKH S/O. MOINODDIN SHAIKH

...

Advocate for Applicants : Mr. Mahesh V. Ghatge

Advocate for Respondent : Mr. A. R. Devakate

...

AND

50 CRIMINAL REVISION APPLICATION NO.258 OF 2022
WITH APPLN/3258/2022 IN REVN/258/2022

MUNIRODDIN MOINODDIN SHAIKH

VERSUS

NUSRAT JAHAN @ GUDDI W/O. MUNIRODDIN SHAIKH AND OTHERS

...

Advocate for Applicant : Mr. Anant R. Devakate

Advocate for Respondents : Mr. Mahesh V. Ghatge

...

CORAM : S. G. MEHARE, J.

DATE : 10-07-2023

PER COURT :-

1. Heard the learned counsel for the applicants and the learned counsel for the respondent.
2. There was 68 days delay in filing revision application against the impugned judgment and order.
3. The learned counsel for the applicants would submit that delay is not deliberate and the reason for delay is reasonable.

4. The learned counsel for the respondent/husband has strongly opposed the application. He would submit that the reasons assigned for delay are not genuine, proper and sufficient. The husband has impugned the judgment and order and to counter it, present application has been filed.

5. Perused the application and its contents. The reasons assigned for delay appear plausible. No harm shall be caused to the respondent if the delay is condoned. Hence, the order:-

- i) Criminal application No.4211 of 2022 is allowed.
- ii) Delay of 68 days in preferring criminal revision is condoned.
- iii) Registry to register the revision application according to law.
- iv) Upon registration, issue notice to the respondent.
- v) The learned counsel waives service of notice for respondent.
- vi) Leave granted to the applicant/wife to file additional affidavit.
- vii) List the matters on 09.08.2023.

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

rrd