

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

CRIMINAL WRIT PETITION NO.105 OF 2023

Ajay S/o. Raibhan Tekam

.VS.

Mrs Vaishali W/o. Ajay Tekam

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

Mr A. H. Matetwar, Adv. h/f. Mr A. K. Newari, Advocate for the petitioner

CORAM : G.A. SANAP, J.

DATE : MAY 04, 2023.

Heard the learned holding Advocate for the petitioner. The respondent is duly served. She has failed to appear before this Court.

2. The part of the order dated 03/01/2023 imposing cost of Rs.10,000/-, for condoning delay in filing appeal, is challenged in this petition. It is submitted that the applicant is not financially well off. It is further stated that the delay was of 26 days. The delay was condoned by the learned Additional Sessions Judge, Nagpur subject to cost of Rs.10,000/- on being satisfied that the reasons put forth were sufficient to do so.

3. Learned Advocate for the petitioner took me through the record and proceedings. In my view, in the facts and

circumstances, Rs.10,000/- is not a reasonable cost. The order, therefore, needs to be modified.

4. The petitioner is directed to pay cost of Rs.1000/-, instead of Rs.10,000/-, to the respondent within two weeks from today.

5. Accordingly, the writ petition stands **disposed of**.

(G. A. SANAP, J.)

Namrata