



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 3330 OF 2022
IN
CRIMINAL REVISION APPLICATION (STAMP) NO. 9224 OF 2022
WITH
CRIMINAL REVISION APPLICATION (STAMP) NO. 9224 OF 2022
WITH
FAMILY COURT APPEAL NO. 21 OF 2022
WITH
CIVIL APPLICATION NO. 11648 OF 2022 IN FCA/21/2022

JAYA ABHISHEKSINGH HAJARI & ANR.

VERSUS

ABHISHEKSINGH JAYRAJSINGH HAJARI

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Advocate for applicant in APPLN/3330/2022 and advocate for respondent in
FCA/21/2022 : Mr. Umesh Mitkari h/f. Mr. Mukul S. Kulkarni

Advocate for Appellant in FCA/21/2022 and advocate for respondent in
APPLN/3330/2022 : Mr. Digambar B. Shinde

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CORAM : MANGESH S. PATIL &
PRAFULLA S. KHUBALKAR , JJ.

DATE : 12.12.2024

PER COURT :

Heard both the sides in condonation of delay application.

2. The applicants, who were wife and son of the respondent, are seeking condonation of delay of 123 days in filing this Criminal Revision Application under Section 397 read with Section 401 of the Code of Criminal Procedure being aggrieved and dissatisfied by the quantum of maintenance awarded by the Family Court.

3. We have heard both the sides and perused application as also the affidavit-in-reply.
4. Considering the fact that by the impugned order is against the salary of Rs.77,000/- (Rupees Seventy Seven Thousand only), the petitioner have been granted maintenance of Rs.10,000/- (Rupees Ten Thousand only) and Rs.7,000/- (Rupees Seven Thousand only) per month respectively.
5. Considering the grounds mentioned in the application coupled with the nature of the dispute, the delay is not inordinate. There is nothing to demonstrate that it has been caused with such precarious intention.
6. The application is allowed. The delay is condoned. Register the Criminal Revision and list alongwith the Family Court Appeal for final disposal on 17.01.2025.

(PRAFULLA S. KHUBALKAR J.)

(MANGESH S. PATIL, J.)

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