



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 3708 OF 2023
IN REVNST/10281/2023

Jeevan Hari UbaleApplicant

VERSUS

Parwati W/o Jeevan UbaleRespondent

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Mr. S. R. Bagal, Advocate for Applicant.

Mr. S. S. Varma, Advocate for the Respondent.

CORAM : ADVAIT M. SETHNA, J.

DATE : 7 JULY, 2025.

P. C. :

1. Heard learned Advocates for the parties.
2. This Application is filed for condonation of delay in filing the present proceedings against the order passed by the learned Judge, Family Court, Nanded dated 21 May 202 in Petition No. E/212/21. The delay as stated in the Application is of 350 days.
3. The learned Advocate for the Applicant would urge that the delay is not intentional and/or deliberate as it arises on account of the Covid 19 Pandemic which was prevailing at the relevant time. It is also pointed out that the order of the Supreme Court extending the period of limitation due to Covid 19 Pandemic was until 28 February 2022. Immediately thereafter, the Applicant was diligent in following

up the matter with his Advocate and infact as stated in the Application that he had also paid fees for engaging the said Advocate. It is in such circumstances that immediately thereafter the requisite steps were taken and the present Application came to be filed on 27 July 2023.

4. The learned Advocate for the Respondent would oppose the Application, as according to him, there is no explanation for such delay.

5. Perused the record. It appears that the delay of 350 days in filing this application is to be explained. It is also true that the limitation period on the ground of Covid 19 Pandemic was extended by the Supreme Court by is order until 28 February 2022. The impugned order was passed on 21 May 2022. It is for such reason that the delay in filing the present Revision Application has occurred which is sufficiently explained in the Application, sufficient case is made out to condone such delay.

6. In the above circumstances, in the interest of justice, to enable the Applicant to persue the proceedings on merits, such delay of 350 days in the given factual complexion, deserves to be condoned. Hence, the following order :-

ORDER

- i) Application is allowed in terms of prayer clause 'A' and 'B'.
- ii) The Applicant shall pay cost of Rs. 3,000/- to the Respondents within a period of one week from today which would be a condition precedent.
- iii) The Application is **Disposed of** in above terms.

2. Subject to above, list the Criminal Revision Application
On 28 July 2025.

(ADVAIT M. SETHNA, J.)

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