

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL REVISION APPLICATION NO.375 OF 2024

Hirawati Bhaskar Ate	...Applicant
<i>Versus</i>	
Bhaskar Patruji Ate & Ors.	...Respondents

Mr. Dilip H. Shukla a/w. Mr. Abhinesh Yadav, for the Applicant.
Mr. Nikhil Waje, for the Respondent No.1.
Mr. D. J. Haldankar, for the APP, for the Respondent-State.

CORAM: MADHAV J. JAMDAR, J.
DATED : 25th AUGUST 2025

PC:-

1. In this matter, a learned Single Judge by order dated 10th July 2025, *inter alia* directed the Respondent to deposit 50% of the arrears of the maintenance in the account of the Applicant within a period of two weeks and parties were referred to a learned Mediator.

2. Admittedly, the Respondent No.1 has not complied with the said direction. The matter was listed on 22nd August 2025. However, none appeared for the Respondent No.1 on that date.

3. On 22nd August 2025, Mr. Dilip Shukla, learned Counsel appearing for the Applicant submitted that Mr. Nikhil Waze, learned Counsel of the Respondent No.1 had informed him that the Respondent No.1 has taken away the papers for engaging some other Advocate. However, neither the Respondent No.1 appeared in person nor any other Advocate was engaged and the position on record shows that even Mr. Nikhil Waze, learned Advocate who has filed Vakalatnama has not granted any discharge has also not appeared. Therefore, this Court passed the following order on 22nd August 2025:

“1. None present for Respondent No.1.

*2. To give one more opportunity to the Respondent No.1, stand over to **25th August 2025**. To be shown fairly ‘high on board’.*

3. Mr. Nikhil Waje, learned Advocate of Respondent No.1 shall remain present in this Court as he has filed Vakalatnama for the Respondent and he has not been granted any discharge.”

4. Today, Mr. Nikhil Waze, learned Counsel of the Respondent No.1 appears and states that the Respondent No.1 has taken away the papers and informed him that he need not appear in the

matter. However, today the Respondent No.1 is not personally present in Court nor any Advocate has appeared for him.

5. Learned Counsel appearing for the Applicant seeks leave to implead the Central Railway as party-Respondent No.4. Accordingly, leave as prayed is granted. Amendment be carried out forthwith. Reverification is dispensed with.

6. Issue notice to the newly added Respondent No.4, returnable on **11th September 2025**. To be listed fairly high on board.

7. In addition to the Court notice, the Applicant to serve the newly added Respondent No.4 by private service and file affidavit of service before the returnable date.

8. It is clarified that, if on the next occasion, the Respondent No.1 fails to appear or fails to engage any Advocate, then the matter will be heard on merits even in his absence.

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[MADHAV J. JAMDAR, J.]