



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

CRIMINAL REVISION APPLICATION (REVN) NO. 29 OF 2025

Amit Nathuram Patil,
Aged about 41 years, Occupation -
Service, R/o. A2-706, Nova Society,
Mahindra World City, Chengalpattu-
603 002, Tamilnadu (State),

....APPLICANT

....VERSUS....

Sau. Neha Amit Patil,
Aged 37 years, Occupation - Doctor,
R/o. C/o. Shri Chandrakant Umale,
'Ashirwad Niwas', Pardesipura,
Bh. Nagar Parishad Karyalaya,
Buldhana, Dist. Buldhana.

....RESPONDENT

Shri Sagar Katkar, Advocate for applicant.
Shri Amit Bhate, Advocate for respondent.

CORAM : RAJNISH R. VYAS, J.

DATE: 22/09/2025

ORAL JUDGMENT

Heard.

2. **Admit.**

3. The matter is taken up for final disposal by
consent of both the parties.

4. The applicant husband has approached before this Court challenging the judgment passed by learned Judge Family Court, Buldhana on 12/06/2023, by which it was directed to pay maintenance at the rate of Rs. 30,000/- per month to the applicant wife (the respondent herein) from the date of filing of the application i.e. from 12/7/2022.

5. It is the case of the applicant husband that, at the relevant time, he was a permanent resident of Chengalpattu in Tamil Nadu and the distance between the Family Court, Buldhana and said place is around 1200 Kms. and there is no direct connectivity between the two cities either by train or airway. He contends that he had engaged services of an Advocate at Buldhana but for the reasons last known, the relevant documents submitted by him to his lawyer were not produced before the Family Court, Buldhana and for first time, he came to know about the order passed by the Family Court when he was served with the copy of the judgment passed in Petition E-28/2022 which was regarding maintenance awarded under Section 125(1) of the Criminal

Procedure Code (in short, "Cr.P.C.").

6. With the assistance of both the learned counsels, I have gone through the record of the case. I have also seen the copy of Exh. 12 produced by the learned counsel for the respondent before this Court. It is marked as Exh. 'X' for the purpose of identification. The applicant husband was constructively served by way of postal service. The returned envelop if seen, it would reveal that the intimation was given by postal authorities on 11/4/2023, 12/4/2023, 13/4/2023, 14/4/2023, 17/4/2023, 18/4/2023, 19/4/2023 and 20/4/2023 and it was not claimed by the applicant husband. The address mentioned on the envelop and the address mentioned in the present application is the same. Therefore, the defence taken by the applicant husband that he was not aware about the pendency of proceedings, is not acceptable. Due opportunity was granted to the applicant husband to appear before the learned Family Court but he did not participate and has shifted the blame upon the lawyer.

7. There is absolutely no material brought on record

to show that the lawyer was given the relevant documents. Even otherwise, the applicant husband did not make any attempt to inquire about the status of the case. Thus, the applicant has shown lethargic attitude before the learned Family Court. That being so, there is no reason to interfere with the order passed by learned Family Court, Buldhana granting maintenance to the wife. The applicant husband has produced certain documents in the form of salary slip before this Court and has urged that, if those documents are perused, it would be crystal clear that the respondent wife would not be entitled for the quantum of maintenance as awarded. I am afraid that those documents can be looked into for the first time in revisional jurisdiction. That being so, the present application being devoid of substance and therefore, is **rejected**.

(RAJNISH R. VYAS, J.)