



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL REVISION APPLICATION NO. 140 OF 2026

Vinod Namdar Tadvi

..APPLICANT

VERSUS

Shamimbee Vinod Tadvi and Others

..RESPONDENTS

....
Mr. Pradip Kulkarni, Advocate h/f Mr. M.D. Narwadkar, Advocate for
Applicant

Mr. A.R. Syed, Advocate for Respondents
....

**CORAM : ABHAY J. MANTRI, J.
DATE : 07th MAY, 2026**

PER COURT :

1. Learned counsel for the Petitioner/Applicant submitted that the matter be referred for mediation. However, I do not find substance in his contention to refer the matter to mediation, as the Applicant's intention is nothing but to protract the matter, which has been pending since 2023. Therefore, I am not inclined to refer the matter to mediation. Moreover, the matter can be referred to mediation at any stage before any Court. Therefore, I do not find substance in his contention.

2. At this stage, learned counsel for the Applicant requests to keep the matter back. As per his request, the matter is kept back till 12:00 noon. If the Applicant fails to work out the matter, then a necessary order will be passed on its own merit.

3. It also appears that on 4th May 2026, no one appeared for the Applicant, so the matter was kept today for hearing and passing of the order with a direction that no further time will be granted.

4. Heard the learned counsel for the parties and have gone through the impugned order dated 03rd August, 2023, passed by the learned Family Court, Jalgaon. It would be appropriate to reproduce the said order as under:-

“With the assistance of Ld. Counsel for the respondent, I have gone through the record. My Ld. Predecessor on 20-09-2021 has passed an order that the petitioner has to face cross-examination. However, he does not appear. The record further shows that, thereafter, several dates were given to the petitioner to appear and proceed with the matter; however, he has failed to appear. Therefore, I have reason to hold that the petitioner has lost interest in the matter. Hence, it is liable to be dismissed. Thus, order accordingly.”

5. Bare perusal of the said order reveals that despite granting sufficient opportunity, the Applicant failed to appear before the learned Family Court, and therefore, the matter was dismissed.

6. It further appears that on 06th July, 2013, the learned J.M.F.C., Jalgaon, after considering the evidence of both parties, passed the reasoned order and thereby granted maintenance of Rs. 2,000/- p.m. to each respondent. It was also observed that the Petitioner is serving in S.R.P. and getting a salary of Rs.18,000/- p.m. In his cross-examination, he has categorically admitted that he spent only Rs. 4,000/- p.m. on his personal expenses. Therefore, the above-mentioned maintenance was granted.

7. It is further apparent that he has challenged the said judgment and order before the learned Additional Sessions Judge, Jalgaon, in Revision, who by Judgment and order dated 18th April, 2016 dismissed the same, with liberty to seek relief under Section 127 of the Cr.P.C. Since then, till the passing of the impugned order on 03rd August, 2023, it was pending. The said facts themselves indicate that the Applicant was not interested in the said proceedings, but only with a view to lingering the matter from the date it was filed.

8. It also reveals that since the filing of this Application, i.e, 10th December, 2023, this Application is pending with a view to keeping it lingering in the court. The said conduct of the Applicant itself indicates that the Applicant is not interested in proceeding with the matter but is trying to protract it by any means. Having considered the same, I do not find any illegality or perversity in the impugned order to interfere in it in the revisional jurisdiction of this Court.

9. As such, **the Criminal Revision Application, being bereft of merits, stands dismissed.**

10. The learned counsel for both parties initially insisted on referring the matter to mediation, having considered their said request and to give one more opportunity to them to explore the possibility, it can be referred to

mediation. Though the matter has been dismissed, if the parties are really interested in settling the same, it is referred to the Mediator **Mrs. S.T. Kazi**, learned counsel, for mediation, with their consent. The Secretary, High Court Legal Services Sub-Committee, Aurangabad, is requested to appoint **Mrs. S.T. Kazi**, learned counsel, as a Mediator in the matter. Inform the Sub-Committee accordingly.

11. If the Mediation is successful, then liberty is granted to the parties to mention the matter by filing an appropriate Application, though it was dismissed.

(**ABHAY J. MANTRI, J.)**

SSD