



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.408 OF 2025
IN REVNST/1038/2025

Pandit Kalu Sonawane

... Applicant

Versus

Sonali Pandit Sonawane and Ors.

... Respondents

.....

Mr. Suniket A. Kulkarni, Advocate for Applicant.

Mr. S. P. Salgar, Advocate for Respondent Nos.1 to 3 (Appointed)

.....

CORAM : ABHAY S. WAGHWASE, J.

RESERVED ON : 27 FEBRUARY 2026

PRONOUNCED ON : 05 MARCH 2026

ORDER :

1. This is an application for condonation of delay of 834 days caused in filing Criminal Revision Application against the judgment and order passed by learned Family Court, Dhule in Petition E No.50 of 2020, by which awarded maintenance to the tune of Rs.4000/- per month to wife and Rs.2,000/- per month each to the daughters, vide judgment and order dated 20.07.2022.

2. Learned counsel for applicant husband would submit that husband was married to respondent no.1 in December 2004 and there is no dispute that they have two children. That, by levelling false allegations, respondent no.1 instituted proceedings under

section 125 of Cr.P.C. and succeeded in getting maintenance by order dated 20.07.2022. That, applicant was not aware of the said proceedings. Thereafter, the COVID-19 pandemic period intervened. The applicant had no knowledge of the proceedings, and even there was no communication from his advocate. To such reasons, delay is attributed, and it being unintentional, it is prayed to condone the same.

3. Learned counsel for respondent wife would strongly oppose the condonation of delay and submitted that there is huge delay that is not properly explained. There was sufficient time available to take steps even after COVID-19 period was over; however, no steps were taken diligently in spite of having knowledge and notice of proceedings and in spite of participating in the same.

4. After considering the above submissions, here, it is seen that, respondent - wife has succeeded in getting maintenance order of herself and her children before the learned Family Court, Dhule vide Petition E No. 50 of 2020. On going through the same, it is emerging that, present applicant husband had appeared in the said proceedings in consequence to summons, but he failed to file Written Statement, and therefore, Court proceeded without Written Statement. He also failed to adduce any evidence. Therefore, when

apparently, applicant had knowledge of the proceedings instituted against him, he ought to have been acted diligently before the learned Family Court. However, he failed to contest the matter, and moreover, even after the passing of order by learned Family Court, no timely steps were taken within stipulated period. Delay is of over 800 days i.e. more than two and half years. The reasons assigned is not convincing. There being no plausible explanation for the delay, the application deserves to be rejected. Hence, the following order :

ORDER

- (i) The Criminal Application is rejected.
- (ii) Fees of learned Advocate, who is appointed to represent cause of respondents is to be paid by the High Court Legal Services Sub - Committee, Aurangabad as per rules.

(ABHAY S. WAGHWASE, J.)