



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

**914 CRIMINAL APPLICATION NO. 3612 OF 2025
IN REVNST/9944/2025**

**PIYUSH GANESH GUNDEWAR
VERSUS
PRIYANKA PIYUSH GUNDEWAR**

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Advocate for Applicant : Mr. Hamzakhan I. Pathan

Advocate for Respondents : Mr. Prashant Prabhakar Giri

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CORAM : ABHAY S. WAGHWASE, J.

RESERVED ON : 13 JANUARY, 2026

PRONOUNCED ON : 14 JANUARY, 2026

ORDER :

1. Instant application is for condonation of delay of 514 days caused in filing revision application against judgment and order passed by learned Judge, Family Court, Nanded, below Exhibit 5 in Petition E No.141 of 2022, granting interim maintenance to wife to the tune of Rs.16,000/- per month.

2. Learned counsel for the applicant pointed out that applicant is husband of respondent, who were married in December, 2021. That, due to strained relations, they had separated and that wife had instituted proceedings under Section 125(1) of the Code of Criminal

Procedure, seeking maintenance and therein she had pressed into service exhibit 5 seeking interim maintenance. That, said application was contested, but learned trial court was pleased to partly allowed application exhibit 5 granting interim maintenance of Rs.16,000/- per month.

3. Learned counsel for applicant submits that said findings of grant of interim maintenance was challenged by filing revision, however, there is delay of 514 days in filing revision. That, applicant had no knowledge about the order as he is resident of Hingoli whereas proceedings were conducted at Nanded and as such there was communication gap. That, immediately after getting knowledge, efforts were taken to file revision, however, delay of 514 days has occurred. That, said delay is for above reasons. That, the delay caused is unintentional and therefore, to meet ends of justice, he urges for condonation of delay caused in filing revision.

4. Learned counsel for respondent wife strongly opposed application on the ground that firstly, there is no compliance of order of this Court dated 23-09-2025 directing applicant to deposit entire arrears of maintenance amount. Secondly, he pointed out that

impugned order is of 10-01-2024 and revision is shown to be filed after more than one year i.e. on 13-01-2025. He pointed out that, no effective steps were taken for filing revision within stipulated time. That, there is no plausible explanation for delay. According to him, each day delay is to be explained. That, here there is no plausible explanation and therefore, he prays to reject the application.

5. After considering the above submission and on going through the papers, it appears that present applicant and respondent are husband and wife. As relations become sour and strained, wife seems to have instituted Petition E No.141 of 2022 before the Family Court, Nanded and she seems to have pressed into service application exhibit 5 seeking interim maintenance. The said application seems to have contested by present applicant. Thus, as rightly pointed out applicant was aware of the proceedings of application for interim maintenance filed before the Family Court. The Family Court has partly allowed application by order dated 10-01-2024, however, as pointed out efforts to file revision through e-filing seems to have been taken for the first time on 13-01-2025. Therefore, there is years delay. It seems that merely e-filing was done, but no further steps were taken, which again further resulted in delay. Hence, total delay,

which has occurred is of 514 days. Only ground put-forth for delay is that there was communication gap and the revision petitioner is resident of Hingoli whereas proceedings were conducted at Nanded, This cannot be said to be a good or sufficient ground and more particularly, it has been pointed out that application for interim maintenance exhibit 5 was contested by applicant. Thus, there is no plausible reason for delay rather there is no due diligence in prosecuting the matter. No good ground being made, application deserves to be rejected. Hence, following order :

ORDER

Application is rejected.

**(ABHAY S. WAGHWASE)
JUDGE**