



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 4541 OF 2025
IN
CRIMINAL REVISION APPLICATION (ST.) NO.12613 OF 2025

Sherkhan S/o. Najir Khan Pathan,
Age : 25 years, Occu. : Labour,
R/o. Tirthapuri, Tq. Ghansavangi,
Dist. Jalna.

... Applicant

Versus

1. Minhaj W/o. Sherkhan Pathan,
Age : 23 years, Occu. : Housewife,
R/o. Tirthapuri, Tq. Ghansavangi,
Dist. Jalna, Present Address - Kamkheda,
Tq. & Dist. Beed.

2. Asim S/o. Sherkhan Pathan

... Respondents

.....
Mr. Mahesh L. Muthal, Advocate for Applicant.
Mr. Vinod I. Thole, Advocate for Respondent No.1.
.....

CORAM : ABHAY S. WAGHWASE, J.
RESERVED ON : 02 FEBRUARY 2026
PRONOUNCED ON : 04 FEBRUARY 2026

ORDER :

1. This is an application for condonation of delay of 2231 days caused in filing the Criminal Revision Application (St.) No.12613 of 2025 against the judgment and order dated 04.05.2019 passed by learned Judicial Magistrate First Class, Beed in Cri. M.A. No.464/2016.

2. Learned counsel for the applicant submits that, the applicant and the Respondent no. 1 are legally wedded husband and wife. That, applicant is illiterate and labourer, and resides at Ghansavangi. That, he was not aware of the proceedings instituted at Beed, which is apparently 150 km away. That, only because of want of knowledge, revision could not be filed within a period of limitation. The delay so occurred is unintentional. For all above reasons, he prays to condone the delay.

3. Learned counsel for respondent opposed the application on the ground that delay is huge and moreover, it is not explained properly. He pointed out that, delay is runs into six years. That, order of maintenance was passed on 04.05.2019. After considering the matter on merits, maintenance has been awarded. Moreover, the delay being huge and not being properly explained, he opposes the application.

4. After considering the above submission, there is delay of 2231 days in questioning the order of learned trial court dated 04.05.2019 in Cri. M.A. No.464 of 2016. Except stating that applicant was not aware of the proceedings instituted at Beed, there is nothing on record to show that the delay was unintentional. Everyday delay has not sufficiently explained and here the delay is

apparently huge. Therefore, when a party who is not diligent, there is huge delay, for want of proper explanation, the application deserves to be rejected. Hence, the following order :

ORDER

The application is rejected.

(ABHAY S. WAGHWASE, J.)