



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 244 OF 2026
IN
CRIMINAL REVISION APPLICATION (ST.) NO. 611 OF 2026

Dilip S/o Bajirao Wagh,
Age : 50 years, Occu. : Nil,
R/o. Vanjar Umrud,
Tq. & Dist. Jalna.

... Applicant

Versus

1. Ranjana W/o. Dilip Wagh,
Age : 43 years, Occu. : Household,
2. Ku. Sweeti @ Tejaswini D/o. Dilip Wagh,
Age : 19 years, Occu. : Education,

Both R/o. Behind Ram Mandir,
Nutan Vasahat, Ambad Road,
Jalna, Tq. & Dist. Jalna.

... Respondents

.....
Mr. Govind B. Chate, Advocate for Applicant.
Mr. Bhushan B. Dhawale, Advocate for Respondents.
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CORAM : ABHAY S. WAGHWASE, J.
RESERVED ON : 11 MARCH 2026
PRONOUNCED ON : 12 MARCH 2026

ORDER :

1. Instant application is for condonation of delay of 837 days caused in filing Criminal Revision Application against the judgment and order dated 04.07.2023 passed by learned Judge, Family Court, Jalna below Exh.01 in Criminal Misc. Application No. 09 of 2023.

2. Learned counsel for applicant pointed out that, applicant is husband of respondent no.1. That, wife for herself and on behalf of minor preferred Criminal Misc. Application No. 09 of 2023 seeking maintenance and the same came to be granted.

3. That, against the said order, revision is to be preferred. However, there is delay in preferring the same. According to him, applicant was dismissed from service and therefore was required to go back to his native. Further, due to medical problems faced by his father, he could not apply for a copy of the order passed by learned Family Court dated 04.07.2023. He also was faced financial difficulties, and all these circumstances contributed to the delay, and therefore, in the interest of justice, he prays to condone the delay.

4. Above application is strongly opposed on the ground that, delay is huge and it is not properly explained.

5. After considering the above submissions and on going through the papers, it appears that the present respondent instituted Criminal Misc. Application No.09 of 2023 in the Family Court, Jalna seeking maintenance from husband. Said proceedings seems to have concluded on 04.07.2023. Against the said order, applicant intends to prefer revision, but there is delay. Office has calculated the delay to be of 837 days. Now, said huge delay is sought to be condoned on the

grounds that applicant was removed from service, his father was having health issues, and he was busy treating him, and thirdly his economic condition was weak.

6. Medical papers are placed on record. However, from the application, it is emerging that, the applicant was said to have been removed from service in March 2021 itself, but apparently the impugned order has been passed in July 2023 i.e. almost after two years. Though medical papers of father show him to be a heart patient, it is not the case that the applicant was not proceedings in the Family Court. Moreover, a statement is made across the bar by learned counsel that, applicant was attending the court dates. Therefore, obviously he was expected to be diligent in applying for a copy of the order and preferred revision within time, but he failed to do so. Rather, there is delay of more than two years. Therefore, delay is immense and there is no sufficient cause or explanation for the said delay. Hence, the following order :

ORDER

The criminal application is rejected.

(ABHAY S. WAGHWASE, J.)