



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (APPR) NO.265 OF 2025
IN
CRIMINAL REVISION APPLICATION STAMP NO.7351 OF 2025

Aadesh s/o Maroti Patil
Vs.
Rachana Aadesh Patil and another

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. C. F. Bagwani, Advocate for applicant.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 17/01/2026

1. By this application, the applicant is seeking condonation of delay.
2. The respondent Nos.1 and 2 are served, none appears for them.
3. Learned counsel for the applicant submitted that by way of this revision application, the applicant is seeking quashing of the order passed by the learned 19th Joint Civil Judge Senior Division and Additional Chief Judicial Magistrate (Spl. Court for D.V. Act), Nagpur granting the maintenance at the rate of Rs. 6,000/- per month to the applicant No.1 and Rs.5,000/- to the applicant No.2, which was further enhanced to the tune of Rs. 10,000/- and Rs.8,000/- respectively. However, there is a delay of

334 days in filing the application. He submitted that the applicant came to know about the said judgment when he received the notice of execution. He was not informed by his earlier counsel. The delay is not deliberate one and justifiable one. In view of that, the delay be condoned.

4. Heard learned counsel for the applicant. Perused the application, it reveals that there is a just and reasonable cause for condonation of delay as he came to know about the order and judgment on 09.05.2025. It is well settled that the Court has to take the liberal approach and not the pedantic one while considering the delay application. In view of that, the application deserves to be allowed, subject to the condition that the applicant shall at least clear the 50% of the arrears, if any due against him. In view of that, I proceed to pass following order.

ORDER

(i) The application is **allowed**.

(ii) The applicant to pay the 50% of the arrears of the maintenance amount within two months, if there are any arrears due against him.

5. The Criminal Application (APPR) No.265/2025 is **disposed of**.

6. The criminal revision application be numbered.

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1. On registration of the criminal revision application, notice be issued to the non-applicants, returnable in four weeks.
2. Matter be listed on 10.03.2026.

(URMILA JOSHI-PHALKE, J.)