

**IN THE COURT OF ADDL. DISTRICT & SESSIONS JUDGE  
AIZAWL JUDICIAL DISTRICT, AIZAWL**

**Crl. Misc. No. 40/2015**

**In Crl. Revision. No. 14/2015**

Lalhmingmawia  
S/o Rohmingliana  
R/o Kepran now Serchhip DIET, Mizoram : Petitioner

Versus

Lalthlamuani D/o Isaka (L)  
R/o Zohmun, Kawnzar, Mizoram : Respondent

**Date of Order : 28.4.2015**

**ORDER**

This is an application filed for condoning delay of 334 days for revising the impugned Order dt.20.3.2014 arising out of Criminal Complaint No. 206/2012 u/s 125 Cr.P.C. passed by Shri Laldinpuia Tlau, Judicial Magistrate 1<sup>st</sup> Class, Aizawl.

I have heard the Id. Counsel Shri H. Lalrinthanga appearing for the petitioner as well as the Id. Counsel Smt. Lalhriatpuii for the respondent.

The ground raised by the petitioner in the instant case is that the Id. Counsel Shri Robert L. Hnamte who had taken the case of Criminal Complaint No. 206/2012 in the Id. Trial Court was approached by the petitioner for preferring Revision Petition against the impugned Order dt.20.3.2014 but, the Id. Counsel has been taking treatment in Rescue Home, Durtlang. As such, according to the Id. Counsel Shri H. Lalrinthanga, there was no alternative to the petitioner to prefer Revision Petition without his Counsel. Thereafter, he was approached to prefer Revision Petition against the impugned Order dt.20.3.2014 before this Court. This being the situation, the Id. Counsel has prayed for condoning delay of 334 days in preferring Revision Petition.

On the other hand, the Id. Counsel appearing for the respondent submits that the Id. Counsel Shri H. Lalrinthanga represented the petitioner while disposing the

Execution Case in the Id. Lower Court. According to the Id. Counsel, the cause of the petitioner is not sufficient in view of the submission made her.

I have considered the submission of the rival parties. As stated by the Id. Counsel Shri H. Lalrinthanga, the illness of the Id. Counsel Shri Robert L. Hnamte who had been approached by the petitioner in the Id. Trial Court compelled the petitioner to approach the Id. Counsel H. Lalrinthanga recently to prefer Revision Petition against the impugned Order passed on 20.3.2014. Hence, I find there is a sufficient cause to condone delay of 334 days in preferring Revision Petition against the impugned Order passed by the Id. Trial Court.

The petition is disposed off.

**Sd/- VANLALENMAWIA**  
Addl. Dist & Sessions Judge,  
Aizawl Judicial District, Aizawl.

**Memo No. \_\_\_\_\_/AD&SJ(A)/2015 : Dated Aizawl, the 28<sup>th</sup> April, 2015**

**Copy to :**

1. Shri Lalhmingmawia through Counsel Shri H. Lalrinthanga, Advocate.
2. Smt. Lalthlamuani through Counsel Smt. Lalhriatpuii, Advocate.
3. District Judge, Aizawl Judicial District, Aizawl.
4. Registration Section.
5. Guard File.
6. Case Record.
7. Calendar Judgment.

**P E S H K A R**