



CNR: KAHC010184552025

NC: 2026:KHC:48697
RPFC No. 76 of 2025

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 8TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

REV.PET FAMILY COURT NO. 76 OF 2025

BETWEEN:

SMT. VINUTHA M.V.
W/O PRAMOD H.S.
AGED ABOUT 47 YEARS
D/O AND C/O LATE VEERUPAKSHA
R/AT D.NO.4800/A, 1ST MAIN ROAD
BASAVESHWARA ROAD, KESARE,
N.R.MOHALLA,
MYSURU-570 007

...PETITIONER

(BY SRI. SYED ABDUL SABOOR, ADVOCATE)

AND:

SRI. PRAMOD H.S
S/O LATE H.A.SHIVAPPA
AGED ABOUT 57 YEARS
R/O HONNENAHALLI VILLAGE
KATTEMALALAVADI POST
GAVADAGERE HOBLI,
HUNSUR TALUK
MYSURU DISTRICT - 570 105

...RESPONDENT

(BY SRI. MANJUNATH M HEGDE, ADVOCATE)

THIS RPFC FILED UNDER SECTION 19(4) OF FAMILY COURT ACT, AGAINST THE ORDER DATED 26.08.2022 PASSED IN CRL.MISC.NO.526/2021 ON THE FILE OF THE III ADDITIONAL PRINCIPAL FAMILY JUDGE, MYSURU, DISMISSING THE PETITION FILED UNDER SEC.125 OF Cr.P.C. FOR MAINTENANCE.

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signed by
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Location:
HIGH
COURT OF
KARNATAKA



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THIS PETITION, COMING ON FOR ORDERS, THIS DAY,
ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

ORAL ORDER

The present revision petition is filed seeking the following
prayer:

"PRAYER

WHEREFORE it is prayed that this honourable court may be pleased To call for records in Crl.Misc.526/2021 which was disposed off on 26.8.2022 passed by III Additional Principal Family Judge, Mysuru Against the petitioner and set aside the order passed by the trial court By allowing this petition in the interest of justice and equity."

2. The parties are referred to as husband and wife for the
sake of convenience.

3. I.A.No.1/2025 is filed to condone the delay of 831 days
in filing the petition. In the affidavit filed in support of the
application, it is stated that the petitioner and the respondent
married on 23.06.1999. In the wedlock, they are blessed with a
son, now about 20 years old. It is stated that the wife was
thrown out of the house in the year 2020, and she filed
Crl.Misc.No.526/2021 before the III Additional Principal Family
Judge, Mysuru, for maintenance. That was dismissed on



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26.08.2022. Thereafter, following intervention by elders and well-wishers, the husband agreed to take her back, and believing the husband's words, she kept quiet without filing any appeal. Thereafter, the husband filed M.C.No.1122/2022 on 17.11.2022 on the ground of cruelty and desertion. The same was contested by the wife and it was dismissed on 18.03.2024. Again the husband stated through his well-wishers that he wanted to take the wife back, and the wife fell for his false promise. Instead of taking her back home, he filed an appeal in MFA No.4659/2024 on 01.07.2024. As such, there is a delay of 831 days in filing the petition.

4. Learned counsel appearing for the husband has filed his objections. Learned counsel submits that when the order was passed in the Criminal Miscellaneous on 26.08.2022, the husband thereafter filed the M.C., and the wife is also aware of it and has not questioned it. After the M.C. was dismissed, when the husband filed an MFA before this Court, the wife has come up with the present petition. It is submitted that there are no grounds to condone the delay, and for the said reasons the delay cannot be condoned.



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5. Having heard the learned counsel on either side, perused the entire material on record. This RPFC is filed with a delay of 831 days, almost 3 years. When there is an inordinate delay, the parties have to state proper reasons for the delay, and the Court cannot condone it merely for the sake of asking. In this case, the wife had contested the criminal miscellaneous, matrimonial case, and after the husband filed the MFA, she filed this petition. On the face of it, there are no reasons to condone the delay of 831 days. The reasons stated by the wife are not sufficient to condone the delay. In that view of the matter, this Court is passing the following order:

ORDER

- i. Accordingly, I.A.No.1/2025 is ***dismissed***.
- ii. Consequently, the RPFC is ***dismissed***.
- iii. All I.As. in this petition shall stand closed.

SD/-
(LALITHA KANNEGANTI)
JUDGE