



CNR: KAHC010527892025

NC: 2026:KHC:44038
RPFC No. 222 of 2025

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 17TH DAY OF AUGUST, 2026

BEFORE

THE HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA

REV.PET FAMILY COURT NO. 222 OF 2025

BETWEEN:

SMT VINUTHA H. M.,
W/O MALLIKARJUNAIAH T C M,
AGED ABOUT 34 YEARS,
R/AT MUDAHADADI VILLAGE,
DAVANAGERE TALUK AND
DISTRICT-577001.

...PETITIONER

(BY SRI. N. RAMAKRISHNA, ADVOCATE FOR
SRI. M. R. HIEMATHAD,ADVOCATE)

AND:

SRI. MALLIKARJUNAIAH T. C. M.,
S/O MANJUNATHAIAH T. C. M,
AGED ABOUT 40 YEARS,
OCC GOVERNMENT RUN ARDISONS FACTORY,
R/AT THOWDUR VILLAGE AND POST,
HARAPANAHALLI TALUK,
VIJAYANAGARA DISTRICT-591222.

ASLO R/AT ARDINANCE ESTATE,
NEW TYPE-3, 23/7, AMBARNATHA,
THANE DISTRICT MAHARASTRA STATE-421592

ADDITIONAL ADDRESS:
ARDINANCE FACTORY,
I. D. NO. 5316, MILL RATE/ A. M. SECTION,
AMBARNATHA, THANE DISTRICT,
MAHARASTRA STATE-421502.

...RESPONDENT

(BY SRI. R. SHASHIDHARA, ADVOCATE)

Digitally signed
by AASEEFA
PARVEEN

Location: HIGH
COURT OF
KARNATAKA



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THIS RPFC FILED UNDER SEC.19(4) OF FAMILY COURTS ACT., AGAINST THE ORDER DATED 16.04.2024 PASSED IN CRI. MISC NO.415/2022 ON THE FILE OF JUDGE, FAMILY COURT, DAVANAGERE., PARTLY ALLOWING THE PETITION FILED UNDER SEC.125 OF CR.P.C., FOR MAINTENANCE.

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

CORAM: HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA

ORAL ORDER ON I.A.No.1/2025

This is a petition filed seeking the Court to condone the delay of 386 days in filing the revision petition.

2. Heard Sri.Ramakrishna who represents Sri.M.R.Hiremathad learned counsel on record for the petitioner as well as Ms.Bhavana who represents Sri.R.Shashidhara learned counsel on record for the respondent. The only submission that is made by learned counsel who represents the petitioner is that the petitioner could not file revision petition within time due to the reasons mentioned at para 3 of the affidavit given by him.



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3. Para 3 of the affidavit given by the petitioner in support of her application filed under Section 5 of the Limitation Act is as under:

" I further state that, I am suffering a prolonged medical condition due to said unavoidable circumstances beyond my control and financial hardship which prevented me from taking timely steps."

4. When this Court questioned learned counsel who represents the petitioner to state about the kind of illness with which the petitioner was suffering, learned counsel submitted that he do not know anything about that illness. Not even a single document is filed by the petitioner to establish such prolonged medical condition, as projected by her. Also there are no details of the unavoidable circumstances which were beyond her control as stated by her at para 3 of the affidavit.

5. Parties to the proceedings cannot expect that the applications filed under Section 5 of the Limitation Act will all be dealt with liberally and delay of any amount will



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be condoned. Law mandates that any relief sought for should have convincing reasons. In the case on hand, the delay is more than a year. Such being the case, petitioner should have been diligent in pursuing the matter and should have produced sufficient proof in support of her contentions and the grounds due to which she could not file revision petition within time. Also, as earlier indicated, the counsel who represents the petitioner himself stated that he do not know with what ailment the petitioner was suffering and the reasons due to which she could not file the revision petition within time. Having considered all these factors, this Court is of the view that there are no grounds to condone the delay.

Resultantly, the following:

ORDER

The application is dismissed.



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Consequently, the proceedings in the revision petition
are closed.

Sd/-
(DR.CHILLAKUR SUMALATHA)
JUDGE

DS
CT:TSM
List No.: 1 Sl No.: 17