



CNR: KAHC010537312024

NC: 2026:KHC:40573
RPFC No. 198 of 2024

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 3RD DAY OF AUGUST, 2026

BEFORE

THE HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA

REV.PET FAMILY COURT NO. 198 OF 2024

BETWEEN:

SRI. S.L. RAJU
S/O LATE SHIVALINGAIAH,
AGED ABOUT 52 YEARS,
R/A C/O LAKSHMAMMA HOUSE,
NO.22, R.R. NAGARA,
CHALLEGATTA VILLAGE
ANCHEPALYA POST
KUMBALAGUDU HOBLI
BENGALURU - 74.

AND ALSO WORKING AT:
FIRST DIVISION ASSISTANT
OFFICE OF THE DIRECTOR OF AGRICULTURE,
DEPARTMENT OF AGRICULTURE,
SESHADRI ROAD, K.R.CIRCLE
BENGALURU - 560 009.

Digitally signed
by AASEEFA
PARVEEN

Location: HIGH
COURT OF
KARNATAKA

...PETITIONER

(BY SRI. VENKATA REDDY G.K, ADVOCATE)

AND:

1. SMT. C.L. NAGAMANI
W/O S.L. RAJU,
D/O LINGAIAH,
AGED ABOUT 44 YEARS



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PRITHVIRAJ
S/O S L RAJU
(SINCE DECEASED)

2. PURNASHREE
D/O S.L. RAJU
20 YEARS

BOTH ARE RESIDING AT NO.22,
R.R.NAGARA, CHALLEGATTA VILLAGE,
ANCHEPALYA POST,
KUMBALAUDU HOBLI,
BENGALURU - 74.

AND ALSO RESIDING AT
NEAR VARSHA KALYANA MANTAPA
PUTHERAPALYA, NAGENAHALLI,
BENGALURU - 39.

...RESPONDENTS

(BY MS. PRIYANKA, ADVOCATE FOR
SRI. MAYUR D. BHANU, ADVOCATE)

THIS RPFC IS FILED UNDER SEC.19(4) OF THE FAMILY
COURTS ACT., AGAINST THE ORDER DATED 04.05.2023
PASSED IN CrI. MISC. NO.248/2017 ON THE FILE OF IV
ADDITIONAL PRL. JUDGE, FAMILY COURT, BENGALURU.,
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:



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CORAM: HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA

ORAL ORDER ON I.A NO.1/2024

Heard Sri.Venkata Reddy G.K learned counsel for the petitioner as well as Ms.Priyanka who represents Sri.Mayur.D.Bhanu learned counsel on record for respondents.

2. This is an application filed seeking the Court to condone the delay of 407 days in filing the revision petition.

3. Gone through the contents of the affidavit given in support of the application as well as the statement of objections filed.

4. Learned counsel for the petitioner submits that respondent No.1 is the wife and respondent No.2 is the daughter of the petitioner herein. Respondents along with the son of the petitioner Master Prithviraj, who is no more, filed Criminal Miscellaneous Case No.248/2017 seeking



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maintenance. The Court of IV Additional Principal Judge, Family Court, Bangalore rendered orders directing petitioner to pay them a sum of Rs.10,000/- each per month towards their maintenance. For getting the order executed respondents initiated execution proceedings. An order of attachment of salary of the petitioner was also issued. Learned counsel states that respondent No.1 is also an earning person and thereby she can maintain herself as well as respondent No.2. Hence, petitioner intends to get the impugned order modified and thus he filed a revision petition. Learned counsel thereby seeks to condone the delay as prayed for.

5. Learned counsel who represents the respondents on the other hand states that petitioner failed to oblige the orders of the Court. No amount was paid towards maintenance despite passing of the impugned order. Therefore, respondents initiated execution proceedings. Though petitioner received notice in the execution



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proceedings he has not chosen to pay the amount. On that respondents filed a petition seeking attachment of salary of the petitioner herein towards arrears of maintenance. At that time, to evade payment, petitioner represented before the Executing Court that he is ready to get the matter settled. However, he never came forward for settlement. On that a warrant was issued for attachment of salary. Learned counsel states that petitioner who was appearing through his counsel in the execution proceedings did not choose to file the revision petition. He kept quiet for considerable period and thereafter he filed revision petition that too without sufficient cause. Learned counsel thereby seeks to dismiss the application filed for condonation of delay.

6. Material available on record reveals that respondents and the deceased son of the petitioner filed Criminal Miscellaneous Case No.248/2017 in the year 2017. The case was disposed of in the year 2023. There is



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no denial of the fact that the petitioner is a Government employee. Also there is no denial of the fact that respondents initiated execution proceedings and the petitioner participated in the execution proceedings through his counsel. Therefore, nothing prevented the petitioner to file revision petition within time. The only ground urged in the affidavit given in support of the application is that respondent No.1 has not agreed for settlement and he was anticipating settlement and thus he could not file the revision petition within time. On what dates petitioner attempted to approach respondent No.1 or her counsel for settlement is not mentioned anywhere. Respondents totally denied mooted of any such proposal for settlement by the petitioner herein. Petitioner is not an illiterate. As per his own version he works as First Division Assistant at Agriculture Department, Bengaluru

7. Holding such a good position, petitioner ought to have been diligent in taking steps to file the revision



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petition within time. Petitioner kept quiet for more than a year and thereafter leisurely filed this revision petition that too participating in the execution proceedings all through.

8. By adopting liberal approach, this Court is not inclined to interfere with and thereby damage or destroy the legitimate rights of the wife and daughter in claiming maintenance. Timely justice cannot be denied condoning the inaction of a party to the proceedings. The reason shown does not amount to sufficient cause so as to condone the inordinate delay. Therefore, this Court is of the view that there are no grounds to condone the delay of 407 days in filing the revision petition by the petitioner herein.

9. Thus, this Court is of the view that the interlocutory application filed for condonation of delay is liable to be dismissed.



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10. Thus, petition is dismissed. Consequently, the proceedings in RPFC No.198/2024 are closed.

Sd/-
(DR.CHILLAKUR SUMALATHA)
JUDGE

VS
List No.: 1 Sl No.: 11