

Party Name : SMT. MINATI SAHA ROY Vs TAPAS ROY

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THE HONBLE MR. JUSTICE S.TALAPATRA

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Heard Mr. A. Bhowmik, learned counsel appearing for the petitioner as well as Mr. P. K. Ghosh, learned counsel appearing for the respondent.

This is an application under Section 5 of the Limitation Act for condoning the delay of 45 days in preferring the revision petition questioning the judgment and order dated 20.11.2014 delivered in Misc. No.91 of 2014 by the Judge, Family Court, Agartala, West Tripura whereby the respondent has been directed to pay a sum of Rs.1,500/- per month to the petitioner as the maintenance allowance w.e.f. 01.11.2014.

Mr. Bhowmik, learned counsel for the petitioner has submitted that for the reasons stated in paragraphs 3(a) to 3(h), the revision petition could not be fled in time. He has emphatically submitted that it is for no fault of the petitioner the said delay has occasioned. From the other side, Mr. Ghosh, learned counsel for the respondent has seriously resisted such prayer of condonation contending that the explanations as provided in the petition cannot be treated as the sufficient cause for purpose of condoning the delay.

Having regard to the controversy projected in the revision petition as well as the explanations so provided in this petition, this court is inclined to condone the delay and accordingly it is ordered.

Thus, this petition stands allowed and disposed of.