

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

CRR No. 998 of 2016

- Indrajeet Singh S/o Late Tej Pratap Singh Aged About 44 Years R/o Harrapara, Baikunthpur, Thana & Tahsil Baikunthpur, District Koriya, Chhattisgarh.

---- Applicant

Versus

- Smt. Sushila Singh W/o Shri Indrajeet Singh Aged About 28 Years D/o Late Narendra Singh Khastirya, R/o C/o Shivraj Singh Bais, B.S.N.L. Tower, Ward No. 19, Kera Road, Janjgir District Janjgir- Champa, Chhattisgarh.

---- Respondent

For Applicant : Mr. Parag Kotecha, Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

26/10/2016

1. Though, the impugned order is dated 03.09.2014 and the present Revision Petition has been filed after more than two years surprisingly the officers of the Registry did not find this Revision Petition to have been filed with delay. According to the Registry the application for condonation of delay which has been filed by the Applicant was unnecessary.
2. The Registrar(Judicial) to look into the matter and take appropriate action against the concerned officers.
3. Leaned Counsel for the Applicant assailing the impugned order submits that the Applicant was not aware of the final disposal of the Miscellaneous Criminal Case on 03.09.2014 and that is the only ground taken while moving the application for condonation of delay as has been enumerated in paragraph 2 of the application.
4. The grounds raised in the said application is as bald and vague as it can be. Both the grounds raised in the said application is not acceptable for

the reason that it is hard to believe that though he had participated in the proceeding under Section 125 Cr.P.C. in which the impugned order has been passed yet he is not aware of the order passed. Similarly, the other reason is also hard to accept for the reason that during the pendency of the said proceeding under Section 125 Cr.P.C. the Applicant himself has filed an application before the Family Court at Koriya under Section 9 of the Hindu Marriage Act. The said fact that the Applicant has firstly contested the case under Section 125 Cr.P.C. at Family Court, Janjgir-Champa and subsequently was also pursuing the proceeding under Section 9 of the Hindu Marriage Act before the Family Court at Koriya, itself shows that he was aware of his rights and the legal remedies that were available to him.

5. Thus, the grounds raised in the application for condonation of delay is not sustainable, justified nor has bonafide reasons seeking condonation of delay.
6. In addition, the Applicant also does not give specific details in respect of each days delay that has been caused.
7. For the aforesaid reasons this Court does not find any good ground for condonation of delay. Accordingly, application for condonation of delay is rejected.
8. Consequently, the present Revision Petition also stands rejected.

Sd/-
(P. Sam Koshy)
Judge