

**NAFR**

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**Criminal Revision No. 279 of 2017**

1. Laxman S/o Gobar, aged about 35 years, Caste Rawat, R/o Village Kondalur, Janpad Panchayat Tokapal, Tahsil Tokapal, District Bastar Chhattisgarh

**---- Applicant**

**Versus**

1. Smt. Ratani Bai W/o Laxman, aged about 28 years, Caste Rawat, R/o Present Sirisguda, Tahsil Tokapal, Police Station Badaji, District Bastar Chhattisgarh
2. Rukmani D/o Laxman, aged about 6 years (minor) through legal guardian mother Smt. Ratani Bai (non-applicant No. 1) Wife of Laxman, R/o Present Sirisguda, Tahsil Tokapal, Police Station Badaji, District Bastar Chhattisgarh
3. Jagarnath, S/o Laxman, aged about 4 years, (minor) through legal guardian mother Smt. Ratani Bai (non-applicant No. 1) Wife of Laxman, R/o Present Sirisguda, Tahsil Tokapal, Police Station Badaji, District Bastar Chhattisgarh

**---- Respondents**

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For Applicant – Shri S.P.Sahu, Advocate.

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**Hon'ble Shri Justice Chandra Bhushan Bajpai**

**Order on Board**

**10/03/2017**

1. The instant criminal revision has been preferred after 457 days of its limitation.
2. Learned counsel for the applicant would submit that as the applicant was not aware for the period of limitation, when he consulted his counsel at lower Court, he was advised to file a revision before this Court, hence after reconstruction of file, he preferred the instant criminal revision with delay. The delay is bonafide and unintentional and the same may be condoned.
3. The applicant filed the instant criminal revision after the order passed by the Judge, Family Court Jagdalpur dated 20-08-2015 whereby the Court below directed for interim maintenance Rs.3000/- to the present respondents.

4. Relation of the applicant and respondents as husband and wife and children was not disputed during hearing of interim maintenance, also from perusal of said certified copy, it goes to show that the said MJC is pending before the Court below since 2014.

5. Upon due consideration, simpliciter submission that he was not aware of the period of limitation does not satisfy the delay of 457 days in filing the instant criminal revision which is required from the applicant to explain the delay satisfactorily.

6. Consequently, upon consideration of the entire material, as the applicant failed to explain the delay of 457 days in filing the instant criminal revision, I.A.No.1/2017 is hereby dismissed as not maintainable.

7. The instant criminal revision is also dismissed being barred by limitation by 457 days.

Sd/-

(Chandra Bhushan Bajpai)  
JUDGE