

THE HON'BLE SRI JUSTICE M. SATYANARAYANA MURTHY

CRL.R.C.M.P.NO.2226 OF 2017
IN/AND
CRL.R.C.NO.1379 OF 2017

ORDER:

Crl.R.C.M.P.No.2226 of 2017 is filed under Section 5 of Limitation Act to condone delay of 503 days in preferring the revision against the order dt.28.10.2014 in M.C.No.11 of 2011 passed by the Judge, Family Court-cum-V Additional District and Sessions Judge, Tirupathi awarding maintenance.

2. The only ground urged before this Court in the affidavit filed along with the petition is that the petitioner could not approach the court within time due to lack of knowledge and due to poverty. Ignorance of law is not an excuse and similarly poverty is also not a ground since the petitioner can avail the legal services provided by the State Legal Authority or by the High Court Legal Services Committee to the persons who deserve benefits under Legal Services Authority Act. The State is under obligation to provide legal aid counsel subject to eligibility to file any case or defend any case. But, the petitioner did not choose to approach the Legal Services Authority and he filed the present revision with undue delay of 503 days in filing the revision against the order passed by the Judge, Family Court-cum-V Additional District and Sessions Judge, Tirupathi. Therefore, neither poverty nor ignorance of law are the grounds to condone abnormal delay of 503 days in filing the revision. Hence, I find no grounds to condone delay of 503 days in filing the revision. Hence, the delay petition is liable to be dismissed and consequently, the revision is also liable to be rejected.

8. In the result, CrI.R.C.M.P.No.2226 of 2017 is dismissed and consequently, CrI.R.C.No.1379 of 2017 is rejected. Miscellaneous petitions, if any, pending in this case shall stand closed.

M.SATYANARAYANA MURTHY,J

DATE:07-08-2017
ccm



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