

IN THE HIGH COURT OF ORISSA AT CUTTACK

RPFAM NO. 283 OF 2022

Kausal Khan

....

Petitioner

Mr. Sarat Kumar Acharya, Advocate

-versus-

Jamila Bibi and others

....

Opp. Parties

CORAM:

JUSTICE K.R. MOHAPATRA

ORDER

14.11.2022

Order No.

RPFAM NO. 283 OF 2022
and I.A. No. 364 of 2022

- 01.
1. This matter is taken up through hybrid mode.
 2. I.A. No. 364 of 2022 has been filed for condonation of delay of 243 days in filing the RPFAM.
 3. This RPFAM has been filed assailing the order dated 2nd December, 2021 (Annexure-2) passed by learned Judge, Family Court, Rourkela in Criminal Proceeding No. 21 of 2018, whereby the Petitioner has been directed to pay a sum of Rs.15,000/- per month to the Opposite Party No.1-Wife as maintenance from the date of application, i.e. 3rd July, 2018.
 4. In explaining the delay in filing the RPFAM, the Petitioner has stated in the I.A. that he is at present 65 years old and after retirement, he is seriously ill and undergoing treatment. He is also unable to move due to his rheumatism. Due to such difficulties, he could not contact his counsel and file the RPFAM in time. Neither any document in support of his illness nor any

information as to when he contacted his counsel to file RPFAM has been filed/furnished before this Court. Hence, I am not inclined to entertain the I.A.

5. Accordingly, the I.A. being devoid of any sufficient cause stands dismissed. Consequently, the RPFAM also stands dismissed.

Urgent certified copy of this order be granted on proper application.

(K.R. Mohapatra)
Judge

bks

