

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.43 of 2025

Arising Out of PS. Case No.- Year-0 Thana- District- Aurangabad

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Dhruv Thakur S/o- Late Yugeshwar Thakur @ Late Yugesh Thakur Village-
Taravan Kala Gahora PS- Pipra Bardag Dist- Palamu Jharkhand, P/A-
Village- Jhargada Ps- Husainabad Japla Dist- Palamu

... .. Petitioner/s

Versus

1. The State of Bihar
2. Punam Devi W/o- Dhruv Thakur Village- Taravan Kala Gahora Po-
Babhandi, PS- Pipra Bardag Dist- Palamu Jharkhand, P/A- Village- Jhargada
Ps- Husainabad Japla Dist- Palamu
3. Rimi Kumari @ Rinki Kumari D/o- Dhruv Thakur Under the Natural
Gardianship of her Mother OP No-2
4. Satyam Kumar S/o- Dhruv Thakur Under the Natural Gardianship of her
Mother OP No-2

... .. Respondent/s

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Appearance :

For the Petitioner/s : Ms. Rupa Kumari
For the Respondent/s : Mr. Anuj Kumar Shrivastava

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CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI
ORAL ORDER

3 06-08-2025 This is an application for condonation of delay by 26

days under Section 5 of the Limitation Act filed on behalf of the

petitioner.

2. When the matter is called on for hearing, the
learned advocate for the petition is found absent. This is purely
lackadaisical approach by the learned Advocate for the
petitioner.

3. No accommodation is sought for.

4. At the time of dictation of the order, the learned
counsel for the petitioner had appeared before this Court. He is



permitted to argue in support of his case under Section 5 of the Limitation Act. I have already stated that there was delay of 26 days in filing the revisional application against the order of maintenance passed in Maintenance Case No. 25 of 2021. It is stated in paragraph no. 3 of the petition for limitation for condonation of delay that the petitioner had some personal difficulty and on that ground he could not come to Patna and consult his lawyer for filing the present revisional application.

In the petition, the period of delay has also not been mentioned. The nature of personal difficulty of a client has not been explained. Though, this Court is perfectly aware that an application for limitation ought to be disposed of liberally and explanation of delay should not be asked in a technical and pedantic manner but the Court expects at least some sort of ground which prevented the petitioner to file revision within time. But, no ground has been stated in the instant matter.

5. Personal difficulty of a party to a case cannot be considered as a sufficient explanation of condonation of delay without stating the nature of personal difficulty.

6. In view of the above discussion, I find that in the instant application under Section 5 of the Limitation Act, delay has not been properly explained, therefore, the petition under



Section 5 of the Limitation Act is summarily dismissed.

7. With the dismissal of the petition under Section 5 of the Limitation Act, the revisional application is also dismissed being barred by limitation.

(Bibek Chaudhuri, J)

Suraj Dubey/-

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