



IN THE HIGH COURT OF ORISSA AT CUTTACK

RPFAM No.245 of 2023

Suvendu Rath @ Subhendu Rath **Petitioner**

Mr. Arun Kumar Das, Advocate

-versus-

Urmila Panda **Opposite Party**

Mr. T.K. Mohanty, Advocate

CORAM: JUSTICE SANJAY KUMAR MISHRA

ORDER

06.08.2025

I.A. No.293 of 2024

Order No.
03.

This matter is taken up through hybrid mode.

2. This application has been filed under Section 5 of the Limitation Act, 1963 for condonation of delay.
3. As pointed out by the Stamp Reporter, there is a delay of 278 days in presenting the RPFAM.
4. Mr. Das, learned Counsel for the Petitioner submits, as per the order passed in Execution Proceeding i.e. Cr. P. Execution No.145 of 2022, which is now pending before the learned Judge, Family Court, Dhenkanal, every month an amount of Rs.20,000/- is being deducted by the Employer from the salary of the Petitioner and handed over to the Opposite Party in shape of a Demand Draft. He further submits, if the delay is condoned and the parties are referred for mediation, there is every possibility of resolving the disputes and differences amicably.



5. Though, no written objection has been filed by the Opposite Party, opposing to the prayer for condonation of delay, Mr. Mohanty, learned Counsel for the Opposite Party submits, as per the settled position of law, each day's delay has to be explained. However, the delay has not been properly explained. Learned Counsel for the Opposite Party further submits, if this Court intends to condone the delay, heavy cost should be imposed on the Petitioner to compensate the hardship caused to the Opposite Party.

6. However, in view of the reasons detailed in the I.A. so also submissions made by learned Counsel for the parties, this Court is inclined to condone the delay, subject to payment of cost of Rs.3,000/- to the learned Counsel for the Opposite Party within a period of one week hence and file receipt in proof of such payment with the Registry within the said period.

7. Accordingly, the I.A. stands disposed of.

(S. K. Mishra)
Judge

RPFAM No.245 of 2023

04. 1. The matter be listed in the week commencing from 18th August, 2025 enabling learned Counsel for the parties to take instruction from their respective clients regarding their willingness for mediation.

(S. K. Mishra)
Judge

Kanhu

Signature Not Verified

Digitally Signed
Signed by: KANHU BEHERA
Designation: Junior Stenographer
Reason: Authentication
Location: High Court of Orissa, Cuttack.
Date: 07-Aug-2025 20:42:33

