



2026:AHC-LKO:20553

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

MATTERS UNDER ARTICLE 227 No. - 1243 of 2026

Richa Bansal And Another
.....Petitioner(s)
Versus
Varun Bansal And 2 Others
.....Respondent(s)

Counsel for Petitioner(s)	:	Radhika Varma
Counsel for Respondent(s)	:	

Court No. - 14

HON'BLE RAJEEV SINGH, J.

1. Heard Ms. Radhika Varma, learned counsel for the petitioners and perused the material available on record.
2. In view of order being passed, notices to the opposite parties stand dispensed with.
3. This petition has been filed for for waiver of costs by setting aside the order dated 31.01.2026 passed in Criminal Case No. 4580 of 2025, (Richa Bansal & Anr. Vs. Varun Bansal & Ors.). A further prayer has been sought for quashing of the order 07.03.2026 passed in Criminal Case No. 4580 of 2025.
4. Learned counsel for the petitioners submits that the marriage of petitioner no. 1 was solemnized with respondent no. 1 and since she was being victimized by the respondents, she filed application under Section 12 of Domestic Violence Act, which was registered as Complaint No. 3205 of 2022 (Smt. Richa Bansal & Anr. Vs. Varun Bansal & Anr.) in the court of Additional Chief Judicial Magistrate, Court No. 7, Lucknow. It is submitted that the said application under Section 23 of D.V. Act was partly allowed by the competent court vide order dated 18th September, 2024 with the direction that respondent no. 1 shall pay Rs.5,000/- to petitioner no. 1 and Rs.2,000/- to petitioner no. 2. However, in words, the amount of Rs.5,000/-, is mentioned as "Chaar Hazaar Rupaye". At the same time, mediation proceedings were also going on before

the Mediation & Conciliation Center of the High Court under the orders passed by this Court in FAPLD No. 21 of 2025, but mediation proceedings could not be succeeded. It is submitted that since a very meagre amount was fixed by the court concerned for interim maintenance, appeal was preferred against the order passed by the Magistrate on 18th September, 2024 (supra) along with delay condonation application.

Learned counsel for the petitioners submits that Additional District & Sessions Judge, Court No.-7, Lucknow, while allowing the delay condonation application vide impugned order dated 31.01.2026, imposed a cost of Rs.5,000/- on petitioner no. 1 with the further direction that Rs.4,000/- be provided to the respondents, who are her in-laws and Rs.1,000/- was directed to be deposited in District Legal Aid Authority. It is next submitted that the order dated 31.01.2026 was passed in the presence of learned counsel appearing for the respondents before the trial court. It is vehemently submitted that the application moved by petitioner no. 1 for adjournment of the case and for waiver of the cost amount imposed on her with the request that she was unable to pay the same, was also allowed vide order dated 07.03.2026, but with the cost of Rs.1,000/-. Relying on the decision of this Court in the case of **Anil Pandey Vs. State of U.P. & Ors.** (Criminal Revision No. 4988 of 2019), learned counsel for the petitioners prays for indulgence of this Court.

5. Considering the submissions advanced by the learned counsel for the petitioners and going through the contents of the petition, impugned orders dated 31.01.2026 and 07.03.2026 as well as order dated 18.09.2024 and other relevant documents, it is evident that vide order dated 18.09.2024, Additional Chief Judicial Magistrate, Court No. 7, Lucknow passed in Complaint No. 3205 of 2022, directed the respondent no. 1 to pay interim maintenance of Rs.5,000/- to the petitioner no. 1 and Rs.2,000/- to petitioner no. 2. However, there is discrepancy in the said order in the figure of amount mentioned in words as well as in numerical. It is further evident that one case was pending before this Court bearing

FAPLD No. 21 of 2025, in which, both the parties were sent for joining the mediation proceedings. After the mediation proceedings having been unsuccessful, appeal was preferred. It is also evident that in the delay condonation application, cause for the delay was properly explained and the same was allowed also vide order dated 31.01.2026, but with cost of Rs.5,000/-, with the further direction that Rs.4,000/- be transferred to the respondents and Rs.1,000 be deposited in the account District Legal Aid Authority.

Admittedly, the appeal was filed against the order dated 18.09.2024 passed in Complaint Case No. 3205 of 2022, which was filed for interim maintenance, but all these facts were not considered by the appellate court at the time of deciding delay condonation application.

6. Accordingly, the petition is partly allowed modifying the order dated 31.01.2026 to the extent that application No. A-3 for condonation of delay in filing the appeal is allowed with the cost of Rs.2,000/-, which shall be deposited in District Legal Aid Authority. Further, the order dated 07.03.2026 is hereby quashed.

7. Appellate court is directed to proceed with the appeal in accordance with law.

(Rajeev Singh,J.)

March 19, 2026

VKS