

IN THE COURT OF PRINCIPAL DISTRICT JUDGE, PATNA

MISC. CIVIL APPEAL CASE No.32 OF 2026

Ravindra Kumar & Ors.

Appellants

Vs.

Sarvodaya Hospitality Pvt. Ltd. & Ors.

Respondents

**Order
No.
04 Date
02-07-2026**

O R D E R

1. Heard.
2. This miscellaneous appeal case has been filed on behalf of the appellant under Order XLIII Rule 1(r) read with Section 104 of the Code of Civil Procedure, 1908 for setting aside the order dated 24.04.2026 passed in Title Suit No.186 of 2024 by learned Civil Judge (Senior Division)-V, Danapur.
3. As per Sheristedar's report, there is delay of 09 days in filing of this miscellaneous appeal.
4. Learned counsel for the appellants by filing a petition dated 02.07.2026 under Section 5 of the Limitation Act submitted that for obtaining the impugned order dated 24.04.2026, requisition was filed on 30.04.2026 and the impugned order was supplied on 06.05.2026. After receiving the impugned order, the deponent, Ravi Kumar, who is one of the appellants, became ill and did not supply the documents to his counsel within time, hence, delay of 09 days was caused in filing the miscellaneous appeal. Learned counsel also submits that the delay in filing the appeal is not deliberate and prays to condone the said delay.
5. Having regard to the submission of learned counsel for the appellants, delay of 09 days in filing of this miscellaneous appeal is hereby condoned.
6. Accordingly, this miscellaneous appeal case is **admitted**. Issue notice to the respondents through registered post and through Nazarat after filing requisites by the appellants.
7. Office is directed to transfer this record to the Court of Learned District Judge-I, Danapur for proceeding in this case as per law.
8. Put up this case on 10.08.2026 for further proceedings.

(Dictated)

**Sd/-
(Rupesh Deo)
Principal District Judge,
Patna.**

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