

IN THE COURT OF PRINCIPAL DISTRICT JUDGE, SITAMARHI

Dated, Sitamarhi, the 12th of December 2025

Present- **Dinesh Sharma, Principal District Judge, Sitamarhi**

Title Appeal No. 21/2024 (Reg. No. 21/2024)

Jaishankar Prasad Singh

Vs.

The State of Bihar & Ors.

Sr. No.	Date of order or proceeding	Order with the signature of the court	Office action taken with date
	12.12.2025	Case called out for hearing. Today the case is fixed for orders on the application seeking condonation of delay. 2. Arguments of Ld. Counsel for the petitioner-appellant and Ld. G.P. for the state have already been heard. 3. It is submitted by the Ld. Counsel for the appellant that one of the sons of the appellant was seriously ill on the date of the passing of the impugned judgment and is still ill. It is submitted that the son of the appellant is suffering from an incurable disease and being busy in the treatment of his son, the appellant could not file the appeal within time. It is submitted that the appellant has explained the delay properly, therefore, the delay in filing the appeal may kindly be condoned and the appeal may kindly be admitted for hearing. 4. The Ld. G.P. for the State has not opposed the prayer seriously. 5. Rival submission considered. Record perused. The impugned judgment was passed on 07.11.2023 and decree was prepared on 22.11.2023. As per the relevant article of the limitation act, the period to file appeal is thirty days from the decree or order. 6. In the instant case, the appeal is filed against the judgment and decree passed by Sub-Judge-1, Sitamarhi dated 07.11.2023 and decree was prepared on 22.11.2023 respectively. As per the report of sharistedar, there is a delay of 211 days in filing the appeal. 7. The law regarding condonation of delay is settled. The length of delay is not material, if the appellant explains the delay properly to the satisfaction of the Court, the Court may condone even a year's delay in filing the appeal, however, if the appellant fails to explain a delay of	

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Contd.
12.02.2025

one month, the application may be rejected.

8. The appellant has averred in the application seeking condonation of delay that the appellant could not file the appeal within time as his son was ill and he was busy with his treatment. The appellant has filed an affidavit stating that Mukund Kumar @ Raja Kumar is his son and he has been under treatment since 2023. The medical papers filed on record show that Mukund Kumar @ Raja Kumar was under treatment at the relevant time. The appellant could not file the appeal due to the illness of his son. Thus, the appellant was having sufficient cause in not filing the appeal within the stipulated period.

9. The forgoing discussions show that the appellant has properly explained the delay in filing the appeal, therefore, the application seeking condonation of delay is hereby allowed. Resultantly, the appeal is admitted for hearing. Issue notice to the respondents upon filing of requisites, the TCR be called for.

10. The case file be put up on 09.01.2026 for appearance of the respondents and further proceedings.

Dictated

Dinesh Sharma
(DINESH SHARMA)

Principal District Judge,

Sitamarhi

12.12.2025