

5.4.2024.

**Orders on I.A.No-I U/Sec. 5 of limitation Act filed by Appellant**

The appellant has filed this application U/s.5 of Limitation Act and sought to condone the delay of 2 days in preferring this appeal.

**2.** The appellant has sworn to an affidavit in support of IA and stated that there is delay of 2 days in filing this appeal. He was busy in agricultural activities. Hence there is a delay. The delay is not intentional one. Hence prays to allow the IA.

3. The respondent has filed objections to IA and denied the contents of the affidavit filed in support of the IA. The application is not maintainable. Hence, prays to dismiss the IA.

4. Perused the records. Heard arguments.

5. On perusal of the records it is found that there is a delay of only 2 days in preferring this appeal. The appellant has stated on oath that he was busy in agricultural activities. Hence, there is delay and the delay is not intentional one. Therefore it appears that the delay is caused due to bonafide reason. If the delay is condoned no inconvenience would be caused to the respondent. Hence the following:

**ORDER**

I.A.No-1, U/Sec.5 of limitation Act filed by the appellant is hereby allowed.

The delay caused in preferring this appeal is hereby condoned.

Office to call for LCR.

For Await LCR call on 7.6.2024.

**Senior Civil Judge & JMFC,  
Sedam.**