

IN THE COURT OF THE ADDL. DISTRICT JUDGE-I, KOZHIKODE

Present: Sri. N.R. Krishnakumar, Addl. District Judge-I, Kozhikode

Saturday, the 31st day of January, 2026

IA 01/2025 & IA 02/2025 in OP (Ele.) 120/2011

IA 01/2025

Between:

Fathima, W/o. Beerankoya, aged 66 years,
Puliyanchalil House, Pannikkode PO, Kodyathur
Village, Kozhikode Taluk, Kozhikode District.

Petitioner/
Petitioner

And:

Deputy General Manager, Power Grid Corporation of
India Ltd, Areekode PO, Ugrapuram, Eranad Taluk,
Malappuram District.

Respondent/
Respondent

IA 02/2025

Between:

Fathima, W/o. Beerankoya, aged 66 years,
Puliyanchalil House, Pannikkode PO, Kodyathur
Village, Kozhikode Taluk, Kozhikode District.

Petitioner/
Petitioner

And:

Deputy General Manager, Power Grid Corporation of
India Ltd, Areekode PO, Ugrapuram, Eranad Taluk,
Malappuram District.

Respondent/
Respondent

These petitions are coming on 28th day of January 2026 for final hearing before me in the presence of Sri. P.T. Mathew Advocate for petitioner and Sri. A. Basheer Advocate for respondent and having stood over to this day for consideration the court passed the following:

COMMON ORDER

Common order passed in IA 1/25 and IA 2/25.

IA 2/25 is a petition filed to restore the OP which was dismissed for default on 27.02.2019. IA 1/25 is to condone delay of 2325 days in filing restoration

petition.

The reason stated for non appearance of the petitioner is the lack of notice of the posting date. It is claimed that no notice of hearing was served either to advocate or to petitioner. But the above reason is factually incorrect. As a matter of fact after the order of remand, the petitioner appeared and as per the petition filed by her an advocate commissioner was appointed. After filing commission report case was posted for objection to commission report and steps. As there was no steps the case was repeatedly posted for evidence. Since the petitioner did not turn up for evidence despite of giving number of chances, this Court dismissed the OP.

Although the reason stated for the absence of petitioner on the date on which the case was posted for evidence and also for the delay is not satisfactory, considering the fact that the petitioner has a good case to be decided on merit, I feel it is only just and proper to give one more opportunity to petitioner to participate in the trial and to have a decision on merit. But the petitioner can not claim interest during the period of delay.

Hence both these applications are allowed subject to the condition that petitioner is not eligible for interest on compensation amount from the date of dismissal i.e., 27/2/19 till today i.e., 31.1.26.

(Pronounced by me in open Court on this the 31st day of January 2026).

Sd/-
Addl.District Judge-I

Fair/copy of common Order
in IA.01/2025 & IA 02/2025
in OP (Ele.) 120/2011
Dated: 31.01.2026

