

**IN THE COURT OF THE ADDITIONAL DISTRICT JUDGE IV,
KOZHIKODE**

Present:- Sri.Pradeep P, Addl. District Judge IV, Kozhikode
Wednesday, the 14th day of January, 2026

IA 1/2024 in APPEAL SUIT 56/2024

Between

T. Saudabhi, aged 53 years,
W/o Nasheer,
Puthalath Meethal. Kannankara Amsom
desom, Kozhikode

Petitioner/
Appellant/ D6

And

1 T.P. Ahammed Koya
S/o Hussain, aged 64 years,
Noor Mahal, Mundaourath Tabha,
P.O. Payambra, Kuruvattoor amsom and
desom, Kozhikode.

2 Fathimayi (Died)

3 Subaida
D/o Hussain, Marakkam Kadavu
Parambu,
P.I. Road, Panniyankara Amsom Desom,
Kozhikode

4 V.M. Ramlath
D/o Hussain
Bismi House, Kakkadath Thazham,
Cherukulam, Makkada Amsom Desom,
Kozhikode.

5 Ayisha
D/o Hussain
Bismi House, Kakkadavath Thazham,
P.O. Makkada, Makkda Amsom and
desom.

6 T.P. Aboobacker Koya,
S/o Hussain
Manarakkal Veedu, P.O. Makkada.

Respondents

This petition is filed U/s 5 of the Limitation Act to condone the delay of 776 days in filing of the appeal.

This petition coming on this day for hearing before me in the presence of Sri.Deepika Nambiar Legal Aid Counsel for the petitioner and Sri. Mujeeburahman.K Advocate for R1 and R2 died. R1 to R6 not entered appearance and having stood over to this day for consideration and the court passed the following.

ORDER

Restored as per order in IA 1/26 and IA 2/26. The respondents appeared. They objected the petition by contenting that this is an attempt to prolong the matter. On hearing the parties, I am satisfied that petitioner has an arguable case in appeal. Though there are latches, they are not intentional. So, the petition is allowed.

(Pronounced by me in open court on this the 14th day of January, 2026).

Addl. District Judge-IV