

**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 1/2026 in APPEAL SUIT 56/2024

Between

T. Saudabhi, W/o Abdul Nasheer,
Pathalath Meethal. Kannankara
Amsom desom, Kozhikode

Petitioner/
Appellant

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 Limitation Act r/w section 151 of CPC to condone the delay of 430 days in restoring delay condonation petition.

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

This is an application for restoration of the delay condonation petition on file which was dismissed for default. Along with appeal, petitioner filed the application for delay condonation. Appeal as well as delay condonation petition was dismissed. Though application for restoration of appeal was filed with delay condonation petition, no application was filed for restoration of the dismissed delay condonation petition. Now this application is filed. Counter is filed, objected by the respondents. I am of the view that matter should be disposed of on merit. So, petition is allowed. Delay condonation petition is restored on file.

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

Addl. District Judge-IV

Fair /Copy of Order in
IA 1/2026 in
APPEAL SUIT 56/2024
Dated:14.01.2026

