

IN THE COURT OF THE DISTRICT JUDGE OF THRISSUR

Present:

Sri. P.P. Saidalavi., District Judge.

Wednesday, 20th day of November 2024/29th Karthikam, 1946.

IA.01/2024 in C.A. 5/2024

Petitioner/Appellant:-

Althaf Noushad K.B., aged 27 years,
S/o Noushad, Kottattil Veettil house, Ollukkara Village,
Kalathodu desom and P.O., Ollukkara, Thrissur Taluk, Pin -680 655.
By Adv. Saji Joseph

Respondent:-

K.P. Abdulhameed & A.K. Usman Firm Anugraha,
Wadakkanchery Road, Kunnamkulam Village and desom.
Thalapilly Taluk, rep. by Power of Attorney holder Chandran,
aged 73 years, S/o Krishnan Namboothiri, Pillanezhi house,
Kolazhy Amsom and Desom, Thrissur Taluk and District.
By Adv. V.R. Ramachandran

Petition filed under Section 5 of Limitation Act., praying to condone the delay of 26 days.

This petition is coming on this day for hearing, the court passed the following:-

ORDER

Heard both side and perused the records. The delay is only 26 days. It is the trite law on the point that, when considering a petition u/s. 5 of Limitation Act., the court has to take a liberal approach and the term “sufficient cause” mentioned in Section 5 of Limitation Act., to be interpreted

liberally to provide a reasonable opportunity if there was no inordinate delay and willful latches and gross negligence on the part of the petitioner. Having considering the particulars in the affidavit I am satisfied with grounds. Hence for the reasons stated in the affidavit I found sufficient cause to condone the delay of 26 days.

But to mitigate the inconvenience and hardship caused to the respondent the petition will be allowed on payment of cost of Rs.1000/- (Thousand only) to the respondent within 04-12-2024. Failing which the petition will stand dismissed. Hence for payment call on 04-12-2024.

(Pronounced in open court on this the 20th day of November, 2024).

//True copy//

sd/-
SAIDALAVI P. P.,
DISTRICT JUDGE.
By order,

Sheristadar

Copied by : jg
Compared by : pbs