

KABG700008562022



R.A./28/2022

**The State of Karnataka R/by Deputy
Commissioner, Belagavi Vs. Mast. Amar S/o Ramesh Madar AGe 12yrs
minor R/by M/G Smt. Laxami W/o Ramesh Madar R/o Mudewadi**

Orders on I.A.No.1

The appellant has filed I.A.No.1 U/s 5 of Limitation Act praying to condone the delay of 11 days caused in filing the present appeal.

In the accompanying affidavit appellant No.4 has stated that the matter was sent to the government with opinion of the AGP and it is scrutinized by the concerned cell and taken the decision to prefer appeal. In this proceeding delay is caused. Hence he could not appear and preferred the appeal in time and as such some delay has been caused in filing the appeal, which is not intentional one. Hence prayed to allow the application.

The respondent has not resisted the said I.A.

Heard. Perused entire records.

The following points arise for my consideration:-

1. Whether the applicant/appellant has assigned sufficient reasons to condone the delay as prayed in I.A.No.1 ?

2. What order ?

My answers to the above points are as under:-

Point No.1 : In the affirmative

Point No.2 : As per final order for the following:

REASONS

Point No.1:-In order to resolve the real controversy between the parties and to do fair justice to the parties and by taking liberal approach in the above matter, this Court feel it necessary to condone the delay as sought for in the application. Hence I hold **Point No.1 in the affirmative.**

Point No.2:- In view of my finding on point No.1, I proceed to pass the following...

Order

I.A.No.1 filed by the applicant/appellant

**U/s 5 of the Limitation Act is allowed. Delay is
hereby condoned.**

sd/-

**Sr.Civil Judge & JMFC,
Khanapur.**