

Misc. Appeal No.28 of 2025
Present : Biswarup Bandyopadhyay, Chief Judge
Order No.9, dated 28.08.2025:

Appellant files hazira through his Ld. Lawyer.

On perusal of the case record it appears that all the applications of the instant Misc. Appeal has already been served upon the other side/respondent. None appeared in this matter despite due service upon the respondent.

None appears on behalf of the respondent on call.

Accordingly application under Section 5 of the Limitation Act is taken up for hearing.

It is submitted by the Ld. Counsel for the appellant that there is a delay of 73 days in filing the instant appeal and specific reason has been mentioned in paragraph 7 and 8 of the instant application for causing delay. Accordingly, he prays for condoning the delay of 73 days in filing the instant appeal.

Heard the Ld. Counsels appearing for the appellant.

Perused the contentions made in the application.

It appears that delay has been explained sufficiently and accordingly delay is condoned.

The appeal stands admitted.

Let the T.C.R be called.

Fix 22.09.2025 for awaiting T.C.R and hearing of appeal.

Dictated & corrected by me,

Chief Judge.

Chief Judge,
City Civil Court, Calcutta.