

Title appeal no.13/18

Order no.07 dated 18.4.2019

Today is the date fixed for hearing of the petition U/s.5 of Limitation Act. Both parties are present along with their Ld.lawyers by filing their respective haziras.

One adjournment petition is filed on behalf of the respondent. But as the petition is heard the same is rejected.

The record is taken up for hearing U/s.5of the Limitation Act. Heard the ld.Advocates for both parties. Perused the petition.

ld.Advocate for the appellants submits that there is some delay in filing the present appeal for some days as the delay has been caused due to the serious illness of appellants as well as some reasons.

Heard the ld.Advocate for the respondent who submits that there is delay of 90 days in filing the appeal. So, he prays for an exemplary cost if the mis . appeal is allowed.

Perused the petition and heard the submissions of both sides and on perusal of the record I find that there is long delay in filing this Title appeal. So, the petition U/s.5 of Limitation Act filed by the appellants is allowed with cost of Rs.500/- payable by the appellant to the respondents.

The appeal is **admitted** for hearing. Call for L.C.R. Issue summons upon the respondents in both ways. To 22.7.2019 for payment, S.R.and A/d. Requisites at once.

Dictated & corrected by me,

Addl.D.J.

Addl.District Judge,1st Court,
Serampore