

In the Court of District Judge, Murshidabad

Title Appeal No. 61/2025

Present : Shri Partha Pratim Chakraborty (JO-WB01240)
District Judge, Murshidabad

Order No. 07, dated 10.07.2026

Today is fixed for hearing on the point of limitation.

The Appellant and the respondents file their separate haziras through their respective learned Advocates.

Learned Advocates appearing for both sides are present.

The petition u/s 5 of the Limitation Act is taken up for hearing.

Heard both sides.

Learned Advocate appearing for the appellant submits that there was 2 days delay in filing this appeal and there is no intentional latches on the part of the appellant and he prays that delay in filing the instant misc. appeal be condoned and the appeal be heard on merit.

In course of hearing learned Advocate appearing for the respondents frankly submits that though written objection has been filed on behalf of the respondents, but he has got no objection, if the petition u/s 5 of the Limitation Act is allowed and the case be heard on merit.

Considering all aspects of the matter and without going into the merit of the limitation petition, I am inclined to allow the application u/section 5 of the Indian Limitation Act.

Hence, it is

“Ordered”

that the application filed by the Appellant u/section 5 of the Limitation Act is allowed on consent.

The delay in filing the instant Appeal is hereby condoned.

This appeal is admitted.

Call for TCR.

Fix **17.08.2026** for receipt of TCR and hearing of appeal.

Dictated and corrected .
by me.

D. J., Msd.

District Judge, Murshidabad.