

***Title Appeal No. 76 of 2025***

Order No. 04 dated 05.05.2026

Ld. Advocate for the appellant is present.

The Ld. Advocate for the respondent is also present.

The record is taken up for hearing of the petition U/s 5 of the Limitation Act in presence of both sides.

The instant appeal was filed being dissatisfied with the order dated 14.05.2025 passed by Ld. Civil Judge (Jr. Divn), 2<sup>nd</sup> Court, Sealdah in TS No. 90 of 2022 whereby the Ld. Trial Court decreed the suit.

It appears that there was a delay for filing of the instant appeal and as such, a petition under section 5 of the Limitation Act was filed by the appellant and the same is taken up for hearing.

Heard Ld. Advocate for the appellant and Ld. Advocate for the respondent.

Perused the copy of the impugned order. Considered.

Ld. Advocate for the appellant submits that there was talk of compromise and for that reason the appellant stopped taking step on the suit and in absence of appellant, case was decreed and appellant came to know about the decree when bailiff went for execution and moreover, due to illness of appellant the appeal can not be filed in due time .

Considering the case record and submission of both sides and for ends of justice appeal is admitted and delay for filing the appeal is hereby condoned. Accordingly, the Title appeal is admitted.

Let the application U/s 5 of the Limitation Act is hereby disposed of as per above observation.

To **24.06.2026** for hearing of the appeal along with stay petition.

Call for LCR.

BC-II to comply.

D/C by me,

ASJ-I

(Sharanya Sen Prasad)/WB-690,  
Addl. Sessions Judge ,  
1<sup>st</sup> Court, Sealdah  
South 24-Parganas