

T.Appl. 4 of 2020 (R-3/2020)

Order No. 21 dtd 30.1.2025.

Today is fixed for hearing the application u/sec. 5 of the Limitation Act.

Appellants filed hazira through Ld. Advocate. Respondents filed hazira through Ld. Advocate.

The record is taken up for hearing the petition u/sec, 5 of Limitation Act.

Heard Ld. Advocate for both sides.

Heard the Ld. Advocate for the appellants. He submits that there is delay of 292 days. He has further submitted that there was delay in filing the instant appeal. Accordingly, he prayed for condonation of delay.

Considering the submission of the Ld. Advocate for both sides, the application u/sec. 5 of Limitation Act praying for condonation of delay is allowed on consent of both sides subject to payment of cost of Rs. 2500/- to be paid to the respondents by 04.04.2025.

The delay in filing the instant appeal is condoned.

Ld. Advocate for the appellants prays for admission of the appeal.

The memo of appeal disclosed that the instant appeal has been preferred against the judgment dated 27.3.2019 and the decree dated 04.4.2019 passed by the Ld. Civil Judge (Junior Division), Dantan, Paschim Medinipur in T.S. No. 175 of 2011. The memo of appeal has been filed along with certified copy of the impugned judgment.

From the memo of appeal and the impugned judgment, I do not find any reason to dismiss the appeal at this stage.

Therefore, the appeal is admitted subject to payment of cost.

Call for TCR from the court concerned.

Fix 04.4.2025 for filing of receipt and T.C.R.

Dictt and Corrt by me

D. J.

District Judge
Paschim Medinipur