

Title Appeal 9/2026
resent : Sri Ramesh Kumar Pradhan (J.O.No.WB00667)
District Judge, Alipurduar.

Order No.3
dt.08.04.26.

Today is fixed for hearing petition u/s 5 of Limitation Act and admission hearing.

Ld. Advocate for the appellant is present by filing hazira.

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

Heard Ld. Advocate for the appellant.

Perused the petition u/s 5 of Limitation Act, the affidavit and other materials on record.

Ld. Advocate on behalf of the appellant submits that the impugned judgement was passed on 19.01.26 and decree signed on 30.01.26. He further submits that he has prayed for obtaining certified copy of the judgement and decree on 02.02.26 and he received the copy on 23.02.26. He further submits that the instant appeal has been instituted on 17.03.26 i.e. after 22 days of obtaining the certified copy. He further submits that due to his illness he could not file the appeal in time. He thus prays for condone the delay and admit the appeal.

Considered.

From the record I find substance in the submission of the Ld. Advocate and indeed the delay is only few days.

Hence the petition u/s 5 Limitation Act is allowed.

The delay in filing the instant appeal is hereby condoned.

Accordingly, the instant Title Appeal is admitted.

Requisites are already filed.

Issue notice upon the Respondents.

To 05.05.26 for S/R & appearance.

Dictated & Corrected
by me

District Judge,
Alipurduar.

District Judge,
Alipurduar.

