

**IN THE HIGH COURT OF MANIPUR
AT IMPHAL**

**RSA No. 5 of 2017 with
MC(RSA) No. 16 of 2024 with
MC(RSA) No. 23 of 2022**

Kh (O) Chandani Devi

.....Appellant/s

- Versus -

Kh (N) Kh (O) Mema Devi

.... Respondent/s

BEFORE
HON'BLE MR. JUSTICE A. GUNESHWAR SHARMA

Order

16.12.2024

[1] Heard Ms. Jyotsana, learned counsel for the applicant/appellant.

[2] MC(RSA) No. 23 of 2022 is an application under Section 5 of the Limitation Act for condoning 52 days in filing the application for setting aside the abatement on expiry of respondent No. 6 in RSA No. 5 of 2017.

[3] It is submitted that due to inadvertence, the delay of 52 days has been caused in filing the present application for setting aside the abatement of the appeal and if the same is not granted, the appellant will face immense hardship.

[4] Present Mr. Ch. Momon, learned counsel for respondent No. 9A.

[5] Accordingly, the application is allowed subject to payment of cost of Rs. 2000/- in favour of the High Court Bar Association, Manipur and on the next date, the applicant has to file proof of payment of cost.

[6] Accordingly RSA No. 5 of 2017 is restored by setting aside the abatement.

[7] List the remaining cases on 27.01.2025.

JUDGE

Kh. Joshua Maring