

03. 05.04.2021

I.A. No. 46 of 2021

This interim application has been filed for condonation of delay.

Heard learned counsel for the parties.

Learned counsel for the appellant submits that the appellant is a man of Jharkhand and since he could not be able to know the date fixed he could not appear and an ex parte judgment dated 27.07.2017 was passed by the learned Judge, Family Court, Rourkela in Civil Proceeding No. 21 of 2013 directing the petitioner to pay a sum of Rs.7000/- and Rs.3000/- to the present respondents. When a notice was received by him in Execution Case No. 05 of 2018, he could come to know about the ex-parte judgment and as such the delay occurred in filing the appeal.

Considering the submission made by learned counsel for the parties and after going through the cause shown in this interim application, the delay in filing the appeal is condoned, subject to payment of cost of Rs.10,000/- (rupees ten thousand) to the respondents, which shall be deposited before the learned Judge, Family Court, Rourkela in connection with Civil Proceeding No. 21 of 2013, on or before 16.04.2021.

The I.A. is accordingly disposed of.

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S. Panda, J.

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S.K.Panigrahi, J.

Arun

...Contd.

04. 05.04.2021

MATA No. 20 of 2019

A copy of the appeal memo be served on learned counsel for the respondent by tomorrow (06.04.2021).

Put up this matter on 10.05.2021.

As the restrictions due to the COVID-19 situation are continuing, learned counsel for the parties may utilize a soft copy of this order available in the High Court's website or print out thereof at par with the certified copy in the manner prescribed, vide Court's Notice No.4587 dated 25th March, 2020.

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S. Panda, J.

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S.K.Panigrahi, J.