

**R.S.A. No.389 of 2016**

**Misc. Case No.846 of 2016**

04. 21.06.2018 This misc. case has been filed for condonation of delay in filing the second appeal.

Heard learned counsel for the appellant and learned counsel for the respondents.

Learned counsel for the appellant submits that due to collection of the documents, there is delay of 70 days in filing the second appeal.

Learned counsel for the respondents submits that the appellant should be compensated adequately because of negligence in filing the appeal.

In view of the above submission, the delay of 70 days is condoned subject to payment of cost of Rs.1,000/-(Rupees one thousand) by the appellant to the respondents by Monday (25.06.2018).

The Misc. Case is disposed of.

.....  
***Dr.D.P.Choudhury, J.***

**R.S.A. No.389 of 2016**

05. 21.06.2018 List this matter on 10.07.2018 for hearing under Order XLI, Rule 11 of C.P.C.

.....  
***Dr.D.P.Choudhury, J.***

jm



