

HIGH COURT OF JUDICATURE FOR RAJASTHAN
JODHPUR

D.B. Civil Misc. Appeal No. 1585/2022

Dharmendra @ Titu

----Appellant

Versus

Lalita Songara

----Respondent

Connected With

D.B. Civil Misc. Appeal No. 1586/2022

Dharmendra @ Titu

----Appellant

Versus

Lalita Songara @ Leena

----Respondent

For Appellant(s) : Mr. Nitin Prakash Trivedi.

HON'BLE MR. JUSTICE ARUN BHANSALI
HON'BLE MR. JUSTICE RAJENDRA PRAKASH SONI

Order

04/10/2023

[Civil Misc. Appeal No. 1585/2022]

1. The Office has pointed out defect that the appeal is barred by limitation and application under Section 5 of the Limitation Act has not been filed.
2. Counsel for the appellant points out that he has filed an application (1/2023) making a prayer to waive the period of obtaining the certified copy of the judgment impugned, which application came to be allowed by a Coordinate Bench on 04.09.2023 and, therefore, the appeal now is within limitation.
3. In view of submissions made, the Office is directed to take into consideration the order passed by this Court on 04.09.2023 and treat the appeal within limitation.

4. Defect No.6 pointed out by the Office in the peculiar circumstances, wherein another appeal against the same judgment impugned is also pending and tagged, is waived.

[Civil Misc. Appeal No. 1586/2022]

List the appeal for admission alongwith D.B. Civil Misc. Appeal No.1585/2022 on 11.10.2023.

(RAJENDRA PRAKASH SONI),J

(ARUN BHANSALI),J

42 & 43-DJ/-