

**HIGH COURT OF JUDICATURE FOR RAJASTHAN  
BENCH AT JAIPUR**

S.B. Civil Second Appeal No. 183/2017

Nirmala Devi

----Appellant

Versus

Badri Lal

----Respondent

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For Appellant(s) : Mr. P.S. Sharma

For Respondent(s) : Mr. Jitendra Mishra through VC

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**HON'BLE MR. JUSTICE SUDESH BANSAL**

**Order**

**24/03/2022**

The second appeal has been preferred by landlord feeling aggrieved by dismissal of civil suit for eviction. The appellate Court dismissed the appeal vide judgment dated 6/9/2016 and their against the second appeal has been filed on 7/3/2017. Since there is some delay in filing the second appeal and the separate application u/s 5 of Limitation Act has also filled.

Considering the nature of controversy and the short period of delay, as also the reasons mentioned in the application supported with an affidavit, this Court deems it just and proper to condone the delay in filing the second appeal. The application u/s 5 of Limitation Act stands allowed. The second appeal is to be heard for admission.

Counsel for respondent submits that copy of memo of appeal has not been supplied to him.

Counsel for appellant is directed to supply a copy of memo of appeal in a course of day to counsel for the respondent.

(SUDESH BANSAL),J

ANIL SHARMA /63

