

Sl. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS
			FA No.13 of 2020 <u>Hon'ble Sharad Kumar Sharma, J.</u> Mr. Piyush Garg, Advocate, for the appellant. Mr. Pradeep Kumar Chauhan, Advocate, for the respondent. Mr. Pankaj Kumar, Advocate, holding brief of Mr. Neeraj Garg, Advocate, for the respondent. This is a defendant's first appeal preferred against the impugned judgment and decree dated 13.08.2019, as rendered in Suit No.151 of 2013, seeking the decree of partition and permanent injunction. The appeal was preferred by the appellant along with the delay condonation application CLMA No.1571 of 2020, seeking condonation of 49 days of delay, on the ground that there was a delayed information, which has imparted to the appellant by his counsel, who was conducting the case before the learned trial court. The delay condonation application preferred by the defendant, the delay is being opposed by the respondent nos.1, 2 and 3, by filing objection through IA No.7255 of 2020. Simultaneously, the respondents, who has filed the objection against the delay condonation application has also preferred a

			cross appeal under Order 41 Rule 22 of the CPC, through IA No.7259 of 2022. After having heard the learned counsels for the parties, and particularly, considering the reasons for delay, which cannot be directly attributed to the appellant causing delay in filing the delayed appeal, due to the fault of the counsel, who had given a delayed information. The delay of 49 days, which has chanced in filing the appeal, would stand condoned. Accordingly CLMA No.1571 of 2020, would stands disposed of. As a consequence of the order of allowing the delay condonation application, the objection filed to the delay condonation application by respondent no.1, through IA No.7255 of 2022, would too stand disposed of. List this first appeal, as well as the cross appeal under Order 41 Rule 22 of CPC, for hearing at an admission stage next week. (Sharad Kumar Sharma, J.) 22.08.2022 NR/
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