

August 5, 2024

82 ARDR

CRR 2454 of 2024
CRAN 1 of 2024

Chapa Singh @ Chanpa Singh
Vs.
Ramesh Chandra Singh

Adv. Debapriya Samanta,

...for the petitioner.

Affidavit of service filed on behalf of the applicant/petitioner is taken on record.

None appears for the opposite party despite service.

The petitioner seeks condonation of delay of 363 days in filing the revisional application. It is a fact that the delay has not been properly explained. However, law insists that an application under Section 5 of the Limitation Act should be construed liberally and it is desirable that an application is decided on merits and not discarded merely on technical ground.

The application being CRAN 1 of 2024 is allowed.

The delay in filing the revisional application is condoned.

The petitioner is directed to serve copy of the application along with annexure thereto upon the opposite party and file affidavit of service on the adjourned date.

Let the matter appear under the heading 'Contested Application' on 27th September, 2024.

(Suvra Ghosh, J.)