

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS
CIVIL APPEAL NO(s). 5934 OF 2005

RAM CHANDRA Appellant (s)

VERSUS

CHANDRA MALA Respondent(s)

(With appln(s) for c/delay in filing SLP and prayer for interim relief))

Date: 16/11/2010 This Appeal was called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE MARKANDEY KATJU
HON'BLE MRS. JUSTICE GYAN SUDHA MISRA

For Appellant(s)
Ms. Pratibha Jain,Adv.

For Respondent(s)

UPON hearing counsel the Court made the following
O R D E R

The appeal is allowed.

(Deepak Joshi) (Indu Satija)
Sr. P.A. Court Master
(Signed order is placed on the file)

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 5934 OF 2005

RAM CHANDRAAppellant(s)

Versus

CHANDRA MALA Respondent(s)

O R D E R

Heard learned counsel for the parties.

None has appeared for the respondent although he has been served.

By the impugned judgment the High Court has refused to condone the delay under Section 5 of the Limitation Act.

On the facts of the case the delay should have been condoned. Hence, we allow the appeal set aside the order of the High Court and condone the delay. We direct the High Court to decide the case expeditiously on merits of law.

.....J.
[MARKANDEY KATJU]

.....J.
[GYAN SUDHA MISRA]

NEW DELHI;
NOVEMBER 16, 2010