

THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO

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CIVIL REVISION PETITION No.3638 of 2015

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ORDER:

The petitioner herein, a septuagenarian, preferred this revision against the order passed by the learned Principal District Judge, Ranga Reddy District at L.B.Nagar in I.A.No.3173 of 2013 in ASSR.No.16166 of 2013. The petitioner herein was the respondent/ defendant in the appeal. I.A.No.3173 of 2013 was filed by the appellants seeking condonation of delay of '69' days in preferring the appeal against the decree passed by the Trial Court.

Sri T.N.M.Ranga Rao, learned counsel for the petitioner, would strenuously submit that it is a settled principle of law that the delay must be condoned for valid and tenable reasons and not for mere asking and in the instant case, the Court below has condoned the delay of '69' days without even properly scrutinizing the reasons assigned.

Normally, Courts will adopt a liberal approach while condoning delay of reasonable proportions. '69' days is not considered as an unreasonable delay in preferring an appeal. Though one would agree that every care should be taken not to condone the delay in preferring appeal for mere asking, but at the same time the ends of justice should be preserved and protected while passing such orders. Keeping this factor in mind, I do not consider that the circumstances of the case really warrant any interference with the order passed by the Learned Principal District Judge, Ranga Reddy District in condoning the delay of '69' days.

However, one grievance nurtured by Sri T.N.M.Ranga Rao, learned counsel for the petitioner, is worth attention to be paid. The petitioner is 70+ years old and he has been struggling so much to secure the fruits of litigation.

In these set of circumstances, I consider that the ends of justice would be served better by directing the learned Principal District Judge, Ranga Reddy District to take all such necessary measures to deal with the appeal and dispose of the same before onset of Summer Holidays, 2016.

Accordingly, the learned Principal District Judge, Ranga Reddy District at L.B.Nagar is directed to deal with the appeal and dispose of the same before onset of Summer Holidays, 2016.

With this, the revision stands disposed of at the admission stage. No order as to costs.

The miscellaneous applications, if any shall also stand closed.

JUSTICE NOOTY RAMAMOHANA RAO

01.10.2015

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