

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Revision No.151 of 2013

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Viveka Nand Mishra son of Late Bramhdeo Mishra, resident of Girls
School Road, P.O. + P.S.+District Katihar.

....Defendant/Respondent/Petitioner/s

Versus

Dhananjay Kumar Jaiswal son of Shri Sarjug Prasad resident of Mohalla
Gamitola, Ward No. 18, P.S. & District Katihar.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr.

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE V. NATH

ORAL ORDER

3 29-06-2016 Heard learned counsel for the petitioner.

The present civil revision application has been filed against the judgment and decree passed in Money Appeal No. 1 of 2008 by the court of 3rd Additional District Judge, Katihar, whereby the learned court below has reversed the judgment and decree of dismissal of the money suit filed by the plaintiff-opposite party and allowed the appeal. Earlier by order dated 24.09.2013 the limitation petition (I.A. No. 6770 of 2013) was directed to be considered at the time of 'Admission'. According to the office report the limitation for filing this revision application has expired on 02.01.2012 whereas the present

revision application has been filed on 16.09.2013 after the delay of more than one year and eight months.

The learned counsel appearing on behalf of the petitioner has been heard both on the point of limitation as well as on the merits of this case.

The perusal of the impugned judgment shows that the appellate court below has passed the judgment on the basis of scrutiny of pleadings and evidence of the parties. This Court has not been persuaded to find any error of jurisdiction or material irregularity in that impugned judgment. With regard to the prayer for condonation of delay it also appears that vague statements have been made in the interlocutory application (I.A. No. 6770 of 2013) and there is also no supporting evidence regarding the medical condition of the father of the petitioner.

After considering the entire facts and circumstances, this Court is not inclined to condone the delay in filing this revision application. Accordingly, the interlocutory application (I.A. No. 6770 of 2013) is dismissed and this revision application is also dismissed as barred by limitation.

(V. Nath, J)

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