

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Revision No.218 of 2013

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Dr. Gyanendra Kumar S/O Sri Sahdeo Singh R/O Saidpur, P.S- Ven (Nalanda), Distt- Nalanda At Present Residing At Village Parwalpur, P.S- Parwalpur, Distt- Nalanda.

.... Petitioner

Versus

1. Nanak Saran Das
2. Ambika Prasad Both Sons Of Late Bhagwandas R/O Village Parwalpur, P.S- Parwalpur, Distt- Nalanda.
3. Ashok Kumar S/O Rajendra Prasad
4. Binay Kumar S/O Late Nandan Prasad
5. Manikchand Prasad S/O Late Sarjug Ram All The Opp. Party Are R/O Parwalpur, P.S- Parwalpur, Distt- Nalanda.

.... Opposite parties

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Appearance :

For the Petitioner/s : Mr. Rabindra Prasad Singh
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE V. NATH
ORAL ORDER

6 05-10-2016 Heard learned Counsel for the petitioner.

This revision application, which has been filed on 23.12.2013, is barred by nearly one long year as according to the calculation by the Stamp Reporter the prescribed time for filing this revision application expired on 3.11.2012 itself.

The limitation petition (I.A. No. 4941 of 2014) filed on behalf of the petitioner for condonation of delay was directed to be considered at the time of admission.

The revision application has been filed assailing the impugned order, whereby the learned court below has allowed the prayer on behalf of the plaintiff for amendment in the plaint. It is further apparent that the present petitioner was defendant in the suit which has been filed in the year 2000.

After considering the submission and the averments made in the limitation petition it transpires that the petitioner has stated that he fell ill on 2.11.2012 and the doctor advised him complete bed rest for one year. It has been further stated that the petitioner became fit to file the present revision application on 22.12.2013. However, the whole explanation appears to be bald as the nature of disease or the medical document has not been enclosed or disclosed in the limitation petition. This Court comes to the conclusion that the explanation furnished by the petitioner is not acceptable and the petitioner has not been able to show sufficient cause for condonation of delay.

The limitation petition is, accordingly, dismissed. Consequently, the revision application is also dismissed as barred by limitation.

(V. Nath, J.)

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