

THE HON'BLE SRI JUSTICE S.V.BHATT

CIVIL REVISION PETITION No.3290 of 2016

ORDER:

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Aggrieved by order, dated 13-04-2016 in I.A.No.1733 of 2015 in allowing the said application filed for condonation of delay, the instant revision is filed.

The revision petitioner has filed affidavit chronologically setting out the events that lead to passing of the ex-parte decree dated 27-02-2015.

With the assistance of learned counsel appearing for the revision petitioner, I have perused the affidavit filed in I.A.No.1733 of 2015.

Prima facie, I am of the view that the learned appellate Judge is right in considering and condoning the delay of 169 days in filing the appeal on payment of costs of Rs.200/-.

Since the discretion is exercised within the permissible limits, I do not see any illegality or irregularity. Except the objection on the condonation of delay, no other aspect is considered while rejecting the prayer of revision petitioner. If any other objection is available under law, it is open for the trial court to consider the same on being taken at appropriate stage.

Accordingly, the Civil Revision Petition is dismissed. There shall be no order as to costs.

Miscellaneous petitions, if any, pending, shall stand closed.

S. V. BHATT, J

Dt: 18-07-2016

Prv

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Prv

