

HONOURABLE SRI JUSTICE S.RAVI KUMAR

C.R.P. No.3665 OF 2016

ORDER:

This revision is filed questioning order dated 13th June, 2016 in I.A.No.326 of 2016 in O.S.No.74 of 2011 on the file of Principal Junior Civil Judge, Rayachoty.

Defendant No.3 in the suit filed above referred I.A.No.326 of 2016 to condone delay of 240 days in representing the petition filed under Order 9 Rule 13 CPC to set aside exparte decree passed against him, Court below condoned delay of 240 days in representing petition for setting aside exparte decree. Questioning the same, plaintiff preferred present revision.

Heard arguments and perused material available on record.

As seen from material, application filed under Order 9 Rule 13 CPC was returned with certain objections by office and granted specific time, but in representing the same after complying objections, there was delay of 240 days and considering reasons stated in the affidavit filed in support that application, Court below condoned delay of 240 days in representing application. Now the said order is questioned contending that defendant No.3 has not assigned any reason for delay of 240 days. Delay in representing returned petition is between Court and party and plaintiff is nothing to do with that. Even otherwise delay is not abnormal. As seen from affidavit averments it is clear that due to pressure of work, returned petition

could not be represented within time and that was
accepted by Court below. Order passed by Court below
is perfectly right and there is no illegality or jurisdictional
error to interfere with the same.

Therefore, the revision petition is dismissed at admission stage. There shall be no order as to costs.

As a sequel to dismissal of this petition,
Miscellaneous Petitions, if any, shall stand dismissed.

JUSTICE S.RAVI KUMAR

Dated 08-08-2016.

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