THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

CIVIL REVISION PETITION No.3848 OF 2016

ORDER:

This Civil Revision Petition is filed challenging the order dated 19.04.2016 passed in IA.No.493 of 2015 by the Prl.District Judge, Karimnagar in an unregistered appeal suit, filed for condoning the delay of 151 days in filing the appeal suit against the Judgment and Decree dated 24.07.2014 passed in OS.No.308 of 2005 on the file of Prl.Junior Civil Judge, Karimnagar.

Learned counsel for the petitioner submits that the 1st respondent is working as driver in the Telangana Road Transport Corporation and though he pleaded ill-health for condoning the delay he did not produce any medical certificate to prove his contention. He also produced a certificate obtained from the TSRTC stating that though the 1st respondent pleaded ill-health, he attended the duty during the period he pleaded ill-health. He further submits that the Court below, without considering the same, passed the impugned order.

A reading of the impugned order goes to show that the Court below has considered the said aspect. But, since the delay was only 151 days and the suit filed by the 1st

respondent for declaration involve property rights, the Court below by exercising its discretion, condoned the delay. As such, this court is not inclined to interfere with the order passed by the Court below by exercising jurisdiction under Article 227 of the Constitution of India.

Accordingly, the Civil Revision Petition is dismissed. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending in the CRP, shall stand closed.

A.RAJASHEKER REDDY, J

21.10.2016
t k.