

IN THE HIGH COURT OF JUDICATURE AT PATNA
Second Appeal No.23 of 2013

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Sagir Ahmad

.... Appellant/s

Versus

Barai Sah & Ors.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Javed Aslam

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE V. NATH

ORAL ORDER

9 11-01-2017 Heard learned Counsel for the appellant in the Interlocutory Application (I.A. No. 8834 of 2016) which has been filed for condonation of delay of 206 days in filing this appeal.

By order dated 8.12.2016 on the submission on behalf of the appellant that the prayer to make this appeal analogous with S.A. No. 436 of 2012 has been already been allowed, the records of the said appeal was directed to be placed along with this appeal. It further appears from the records of the said appeal i.e. S.A. No. 436 of 2012 that the said appeal had been dismissed by order dated 19.1.2015.

Learned Counsel for the appellant has submitted that after dismissal of the said appeal i.e. S.A. No. 436 of 2012 this appeal also cannot proceed. It has been further submitted that the delay of 206 days in filing the present appeal has been explained by the appellant by taking the plea that the appellant was ill.

After considering the submission and the aforesaid facts, this Court finds that a vague submission has been made with regard to sufficiency of cause for condonation of delay in this appeal.



Accordingly, this Court comes to conclusion that the delay has not been sufficiently explained. This court therefore is not inclined to condone the delay. The Interlocutory Application (I.A. No. 8834 of 2016) is accordingly dismissed.

Consequently, this appeal is also dismissed as barred by limitation.

(V. Nath, J.)

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