

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

FA No. 312 of 2017

(Arising out of judgment/order dated 02.03.2017 in Civil Suit No.
05-A/2013 of the learned Additional District Judge (FTC))

- Prakash Singh Rajput S/o Toran Singh Rajput, Aged About 38 Years R/o Village Gungeri, Nawagaon, Tahsil Dongargaon, District Rajnandgaon, Chhattisgarh(Plaintiff)

---- Petitioner

Versus

- Laxman Das Sahu S/o Udayram Sahu, Aged About 38 Years R/o Village Gungeri, Nawagaon, Tahsil Dongargaon, District Rajnandgaon, Chhattisgarh
- The State Of Chhattisgarh, Through The Collector, Rajnandgaon, District- Rajnandgaon, Chhattisgarh(Defendants)

---- Respondent

For Appellant
For Respondents

Shri S.P. Sahu, Advocate.
Shri Rajendra Tripathi, P.L. for the
State.

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

05/10/2017

I.A.No.1

1. This is an application for condonation of delay in filing the first appeal.
2. The only reason assigned for seeking condonation of delay of 21 days is that there was a mistake in calculating the period of limitation. The period of limitation for filing first appeal under Section 96 CPC before this Court is 90 days.

3. The judgment was delivered on 02.03.2017 and the application for obtaining certified copy was filed on 04.03.2017 which was received on 09.03.2017. Thus, it is not a case that most of the time was taken for obtaining certified copy. It is not explained in the application as to how the mistake in calculation occurred.
4. Despite anxious consideration, this Court is not convinced with the reason assigned for condonation of delay, therefore, the application (I.A.No.1) is dismissed.
5. Consequently, the first appeal is also dismissed.

Sd/-

Judge

Prashant Kumar Mishra

Akhilesh