

HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

CIVIL REVISION PETITION No. 5225 of 2016

ORDER:

- 1) Assailing the order, dated 07.11.2015 passed in I.A.No.893 of 2014 in O.S.No.135 of 2011 on the file of the Additional Senior Civil Judge, Madanapalle, wherein and whereunder a petition filed under Section 5 of Limitation Act to condone the delay of 870 days in filing the documents was allowed on payment of costs of Rs.100/-, the present Civil Revision Petition is filed under Article 227 of the Constitution of India.
- 2) The only ground urged by the learned counsel for the petitioner is that the impugned order is bereft of any reasons.
- 3) Learned counsel for the respondents submits that since the delay is in filing the documents and having regard to the reasons stated in the impugned order, the order under challenge warrants no interference.
- 4) A reading of the impugned order would show that while condoning the delay of 870 days no reasonable explanation is stated or referred to except stating that due to mistake of the office the party should not suffer and hence condoned the delay. But the details of the applications filed, how it was misplaced in the office and how there was a mistake in the office are not stated. Hence, the order under challenge is set aside and the

matter is remanded back to the trial Court to consider the matter afresh by giving reasons.

5) Accordingly, the Civil Revision Petition is disposed of. There shall be no order as to costs.

6) As a sequel thereto, Miscellaneous Petitions pending if any, shall stand closed.

JUSTICE C. PRAVEEN KUMAR

04.01.2017

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