

THE HON'BLE SRI JUSTICE M.S.RAMACHANDRA RAO

C.R.P.No.3153 of 2017

ORDER:

Heard the learned counsel for the petitioner.

2. This Revision Petition is filed assailing the order dt.25-04-2017 in I.A.No.438 of 2017 in A.S.S.R.No.1266 of 2017 of the IV Additional District Judge, Tanuku, condoning the delay of 53 days in filing the said appeal without even issuing notice to the respondent and without assigning any reason for condonation of the said delay.

3. Learned counsel for the petitioner contends that delay ought not to have been condoned by the Court below without issuing notice to the petitioner and without assigning any reasons.

4. I completely agree with the contention of the learned counsel for the petitioner.

5. Accordingly, the Civil Revision Petition is allowed and the order dt.25-04-2014 passed by the IV Additional District Judge, Tanuku, condoning delay of 53 days in filing A.S.S.R.No.1266 of 2017 by allowing the I.A.No.438 of 2017 is set aside. The said I.A. is remitted back to the Court below and the said Court is directed to issue notice to the petitioner, permit the petitioner to file counter affidavit and then pass a reasoned order in accordance with law in the said I.A. No costs.

6. As a sequel, the miscellaneous petitions pending, if any, shall stand closed.

JUSTICE M.S.RAMACHANDRA RAO

Date: 06-10-2017

Note:-

The Registrar General shall call for explanation from the IV Additional District Judge, Tanuku, as to how he allowed I.A.No.438 of 2017 in A.S.S.R.No.1266 of 2017 without issuing notices to the respondent and without giving any reasons and the said explanation of the officer shall be placed before this Court on the administrative side.

Office to communicate this order to the Registrar General.

B/o.
kvr

