

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

CIVIL REVISION PETITION NO.3217 OF 2012

ORDER:

This Civil Revision Petition is filed challenging the order dated 08.06.2012 passed in I.A.No.917 of 2012 in an unnumbered first appeal, wherein the Court below had dismissed the I.A., which was filed to condone the delay of 80 days in preferring the appeal.

It has been contended by the petitioner's counsel that the petitioner was suffering from fever and she had seriously fell ill and consequently, she could not prefer the appeal within the prescribed time.

The Court below dismissed the I.A. on the ground that the petitioner has not produced any medical certificate to prove her sickness.

I have examined the case on merits. The petitioner herein has preferred appeal against dismissal of the suit filed by her. The delay of 80 days can be condoned on payment of an amount of Rs.5,000/- (Rupees five thousand only) to the Legal Services Authority before the Court below and consequently, the Court below is directed to number the first appeal and hear the same on merits after giving opportunity to all the parties.

Accordingly, the Civil Revision Petition is allowed. There shall be no order as to costs. Miscellaneous petitions, if any, pending shall stand closed.

(ABHINAND KUMAR SHAVILI, J)

23rd October 2017
RRB