

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

CIVIL REVISION PETITION No. 1172 OF 2018

ORDER:

This Civil Revision Petition is filed challenging the order, dated 04.01.2017, passed by the learned Senior Civil Judge, Penukonda dismissing I.A.No.32 of 2016 in A.S.No.19 of 2010 filed by the petitioners for condonation of delay of 103 days in filing the petition to restore the above said appeal.

Heard learned counsel for the petitioners and learned counsel for the respondents.

It is to be noted that the appeal was filed in 2010. Therefore, the Court below ought to have allowed I.A.No.32 of 2016 by putting the petitioners on some terms, rather than dismissing the same.

Considering the nature of dispute and the relationship between the parties, the Civil Revision Petition is allowed and the order under revision is set aside. Consequently, I.A.No.32 of 2016 in A.S.No.19 of 2010 is allowed on payment of costs of Rs.1,000/- (Rupees one thousand only) by the petitioners to the respondents, through their Advocate.

Consequently, miscellaneous applications, if any shall stand disposed of. There shall be no order as to costs.

CHALLA KODANDA RAM, J

Dt:28.03.2017

Note: Issue cc in ten days.
kdl

