

HON'BLE SRI JUSTICE S.V. BHATT

C.R.P.No.4192 OF 2012

ORDER:

Heard Mr.V.V.N.Narasimham for petitioner and Mr.Y.Vasudeva Rao for respondent.

Defendant in O.S.No.1474 of 1999 in the Court of the VII Junior Civil Judge, City Civil Courts, Hyderabad, is the revision petitioner. The revision petitioner filed I.A.No.223 of 2012 under Order Section 5 of the Limitation Act to condone the delay of 3757 days in filing the application under Order IX Rule 13 CPC.

The averments, in brief, for condoning the delay are that the defendant came to know through her tenant that the Court bailiff came to execute movable warrant and she was residing at Bellary, Karnataka. Thereafter, she filed delay condone application. The plaintiff opposed the application.

The learned trial Judge rejected the prayer of petitioner on the ground that the petitioner failed to show sufficient cause to condone the inordinate delay in filing the application under Order IX Rule 13 CPC. Hence, the revision.

I have perused the record. The trial Court has rightly dismissed the application filed by the petitioner by giving reasons. This Court is in agreement with the reasons recorded by the trial Court. No ground warranting interference under Article 227 of the Constitution of India is made out.

Revision fails and is, accordingly, dismissed. There shall be no order as to costs.

Pending miscellaneous petitions, if any, stands closed.

S.V.BHATT, J

06th September, 2018
Lrkm