

HON'BLE SRI JUSTICE S.V. BHATT

C.R.P.No.3893 OF 2018

ORDER:

Heard Mr.Venkateswar Varanasi for petitioner.

None appears for the respondent though personal notice was ordered on 27.07.2018.

Appellant in unnumbered appeal in the Court of the Principal District Judge, and defendant in the suit, is the revision petitioner. The revision petitioner filed I.A.No.1188 of 2017 in A.S (SR) No.4143 of 2017 seeking to condone the delay of 15 days in filing the appeal which is filed aggrieved by the judgment and decree in O.S.No.47 of 2014 in the Court of the Principal Senior Civil Judge, Karimnagar.

The learned District Judge, through docket order dated 18.04.2018, declined the prayer of petitioner holding that the petitioner failed to explain sufficient cause for condoning the delay.

Keeping in view the delay of 15 days, which is short, in filing the appeal, the Court below ought to have exercised its discretion for condoning the delay.

Be that as it may, the delay in filing the appeal being short and to further the ends of justice, the delay is condoned. The Court below is directed to number the appeal, if it is otherwise in order.

Revision is, accordingly, allowed as stated above. There shall be no order as to costs.

Pending miscellaneous petitions, if any, stands closed.

S.V.BHATT, J

21st August, 2018
Lrkm