

13.12.2021

**RVW 129 of 2019
(C.O. 1765 of 2016)**

With
CAN 1 of 2019 (Old CAN 5153 of 2019)
With
CAN 2 of 2019 (Old CAN 5163 of 2019)

**Lakshman Sil
Versus
Mita Karmakar & Ors.**

For the petitioner: Mr. Partha Pratim Roy, Adv.,
 Mr. Sounak Bhattacharya, Adv.,
 Mr. Sumitava Chakraborty, Adv.

For the opposite party:-
 Mr. Dyutiman Banerjee, Adv.

This is an application under Section 5 of the Limitation Act filed by the petitioner praying for condonation of delay in filing the review application.

Affidavit-of-service be kept with the record.

The application is taken up for hearing in presence of the learned Advocates for the petitioner and the respondents.

By filing the instant application the petitioner has prayed for condonation of delay of 35 days in filing the review application being RVW Tender 129 of 2019.

I have heard the learned Advocates for the parties. On perusal of the application and considering the submission made by the learned Advocates for the appellant, delay of 35 days in filing the review application is sufficiently explained. The petitioner was prevented by sufficient cause in filing the review application within the statutory period of time.

Therefore, the instant application under Section 5 of the Limitation Act is allowed on contest however, without cost.

Delay in filing the review application is condoned.

Review application be restored accordingly to its file.
List this matter two weeks after vacation.

(Bibek Chaudhuri, J.)