

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

FAM No. 205 of 2017

Dankeshwar Prasad Patel, S/o Dolnarayan, Aged About 31 Years, R/o Village Bayang, Police Station Kotra Raod, Raigarh, Tahsil And District Raigarh Chhattisgarh
---- Appellant

Versus

Ahilya, W/o Dankeshwar Prasad Patel, Aged About 28 Years, R/o Village Saraipali, Chechag, Police Station And Tahsil Dabhara District Janjgir Champa Chhattisgarh
--- Respondent

For Appellant	:	Mr. Jeet Patel, Advocate
For Respondent	:	None appears though served

DB : Hon'ble Shri Justice Manindra Mohan Shrivastava

Hon'ble Smt. Justice Vimla Singh Kapoor

Order on Board by Manindra Mohan Shrivastava, J.

15/07/2019

Heard on prayer for condonation of delay in filing appeal.

1. The appeal is barred as many as 524 days and the only cause shown in the application is that after dismissal of the suit, the appellant made all efforts to bring his wife back but she has deserted him, therefore, he decided to file an appeal.
2. The cause shown does not appear to be sufficient. Therefore, such a long delay cannot be condoned in filing appeal. Therefore, the appeal is dismissed as barred by limitation.
3. This however shall not come in the way of the appellant in seeking decree on the ground of desertion or apply for restitution of conjugal rights.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Sd/-
(Vimla Singh Kapoor)
Judge