

**THE HON'BLE SRI JUSTICE M.S. RAMACHANDRA RAO
AND
THE HON'BLE SRI JUSTICE T. VINOD KUMAR**

I.A. NO.1 OF 2019 IN/AND CMA NO.54 OF 2019

ORDER: (Per Hon'ble Sri Justice M.S. Ramachandra Rao)

This application is filed to condone the delay of 639 days in preferring the appeal challenging the order dt.20.01.2017 in I.A. No.121 of 2016 in O.S. No.92 of 2016 of V Additional District Judge at Bhongir, Nalgonda District.

2. In the affidavit filed in support of his application, it is stated that the petitioner's husband one Kotha Mallareddy was bedridden for six months after he met with an accident in March, 2017 and suffered a fracture in his legs and also injury to his head. In support thereof, the petitioner has produced medical certificates dt.27.08.2019 issued by a Neurologist and an Orthopaedic Surgeon.

3. Even assuming for the sake of argument that the husband of the petitioner was ill between 09.03.2017 and 27.12.2018, the period of delay would still be very substantial and the petitioner cannot say that she was too busy to take steps to file the appeal.

4. It is also to be noted that even the application for certified copy of the appeal was filed on 29.12.2018, almost two years after the order dt.20.01.2017 was passed in I.A. No.121 of 2016 in O.S. No.92 of 2016.

5. In the circumstances, we are of the opinion that the said period of delay of 639 days in preferring the appeal cannot be condoned.

6. Therefore, the said I.A. is dismissed and consequently, the Civil Miscellaneous Appeal is rejected.

7. The miscellaneous petitions pending, if any, shall stand closed.

M.S. RAMACHANDRA RAO, J

T. VINOD KUMAR, J

Date: 18.09.2019

MRKR

