

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR
FA(MAT) No. 75 of 2019

- P. Shrinivas Rao S/o P. Krishna Rao Aged About 34 Years Resident Of Ward No 98, Near 26 Block , Akash Gas Godown Road, Gudiyari Raipur, District Raipur Chhattisgarh. **---- Appellant**

Versus

- Smt. Pooja @ Pavitra W/o Late Arjune Rao Aged About 23 Years Resident Of L.I.G. 27, Deen Dayal Colony, Padum Nagar, Bhilai 03, District Durg Chhattisgarh. **---- Respondent**

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- Shri Galib Dwivedi, Counsel for the appellant.
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D.B.: Hon'ble Shri Justice Manindra Mohan Shrivastava

Hon'ble Smt. Justice Vimla Singh Kapoor

Order on Board

Per Manindra Mohan Shrivastava, J.

21.01.2020

Heard on IA No.01, application for condonation of delay in filing the First Appeal.

2. This appeal is against the judgment and decree by which appellant's application for grant of decree of divorce has been dismissed.

3. Appeal is barred by 390 days. The only cause shown in the application is that the appellant was not aware of the judgment and decree and the proceedings and later on, he approached the counsel who advised him to file appeal and then he applied for certified copy of the impugned judgment and decree and thereafter the appeal has been filed.

The only explanation offered is with regard to the period after the appellant approached the counsel, applied for certified copy and filed appeal. It is not even disclosed as to on which date, the certified copy was applied for. The explanation offered is apparently falsehood that the appellant was not aware of the proceedings. The judgment and decree was

passed after a full fledged trial in which the appellant appeared and led evidence as plaintiff.

4. No sufficient cause is shown for condonation, application is dismissed and therefore, appeal is also dismissed as barred by limitation.

Sd/-

(Manindra Mohan Shrivastava)
Judge

Sd/-

(Vimla Singh Kapoor)
Judge