

C.M.P.No.14442 of 2020
in
CMSA.SR.No.82199 of 2020

T.RAJA, J

This petition has been filed by the petitioner/husband seeking to condone the delay of 68 days in filing the above said appeal challenging the concurrent findings and conclusions reached by the learned Courts below dismissing his petition seeking to grant divorce.

2. It is seen from the records that after 9 years of marriage held on 10.12.1991, the petitioner/husband has filed H.M.O.P.No.10 of 2010 seeking for divorce. In the meanwhile, she gave birth to three children. It is averred in the petition that the wife has concealed her first marriage with one Sekar. However, for the reason that the petitioner and respondent belong to same Village and same Street, the allegation made against the respondent/wife that she concealed her first marriage with one Sekar is unbelievable. Learned trial Court as well as learned first appellant have dismissed his divorce petition by concurrently holding that the allegation of the husband that his wife has concealed her first marriage with one Sekar cannot be sustained since both of them were living in the same Village/same Street. Thus, even on merit, this Court holds that the

petitioner/husband has no case.

3. Coming to the present petition seeking to condone the delay of 68 days in filing the appeal, in the affidavit filed in support of this petition, he has not mentioned sufficient reasons for such delay and it is also not known why he has not acted upon quickly to file an appeal. As the petitioner has failed to explain the delay, this Court, finding no sufficient case to condone the delay, is inclined to dismiss the present petition and accordingly, it is dismissed. Consequently, for the reasons stated above, CMSA SR.No.82199 of 2020 stands rejected. No Costs.

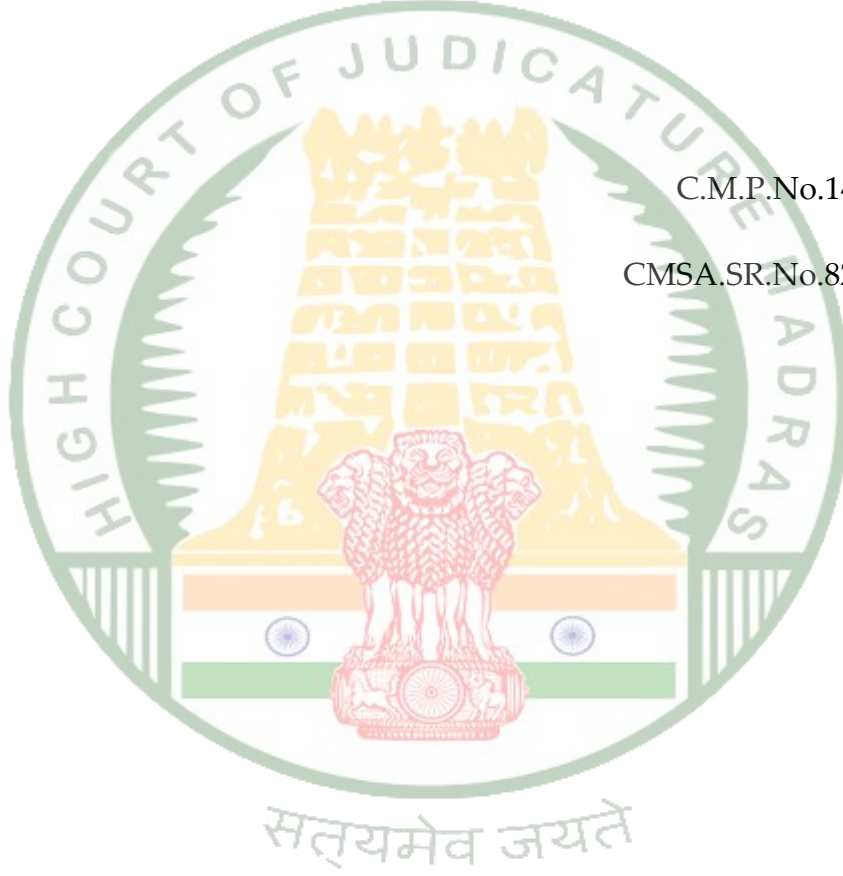
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