



Sub. Applications (OS).No.287 of 2024

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in
Rev. Pet Dr. No. 49396 of 2024

P.T.ASHA, J.

The above application is filed for condoning the delay of 1197 days in filing the review petition.

2. The above review petition has been filed seeking to review the order dated 02.12.2020. The petitioner would submit that the signature of the petitioner in the vakalat filed in C.S.No.280 of 2008 was not her signature but was a forged one. Therefore, the orders that have been passed without her knowledge.

3. The petitioner would submit that when the order dated 02.12.2020 was passed in the contempt petition, the petitioner was not represented and therefore she was not aware about the proceedings. The petitioner has stated that she and her brother have



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been kept in the dark about the entire proceedings. The petitioner has not been made aware about the interim orders passed by this Court and when the order dated 02.12.2020 was passed, she was not even in the country as she had gone to New Zealand in the year 2017.

4. The petitioner would state that she came to know about the order only on 01.04.2024 when she was produced before this Court pursuant to the orders of this Court dated 02.12.2020. The petitioner has submitted that it was her uncle, who has been arrayed as the 2nd defendant, who has been conducting the proceedings and is responsible for flouting the orders of this Court, which was not known to the petitioner. The petitioner would plead that her lack of knowledge about the pending proceedings and the orders has resulted in her not taking steps to be represented earlier.



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5. The petitioner would submit that the order under review is causing grave prejudice and hardship to her and the same has to be reviewed. Therefore, the delay which is only for the aforesaid reasons should be condoned.

6. This Court by order dated 01.04.2024 has suspended the sentence against the petitioner, wherein, this Court had observed that the petitioner's vakalat dated 19.08.2012 filed after she had attained majority and after the plaint had been amended does not contain her signature as the signature in the vakalat has not been affixed by her. Further, this Court observed that the sale consideration does not appear to have been paid to the petitioner and her brother and the amounts have been received by the 1st and 2nd defendants who are arrayed as respondents 5 and 6 herein.

7. The petitioner has a substantial case to plead in the review petition and if the delay is not condoned as stated by the petitioner,



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she would suffer prejudice. Therefore, in the interest of justice, the delay of 1197 days is condoned. The Registry is directed to number the review petition, if otherwise in order.

15.04.2024

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