HIGH COURT OF TRIPURA
AGARTALA

I.A. No.01/2025 in RSA No.09/2026
RSA No.09/2026

1. Shri Madhab Paul, S/O. Lt. Haradhan Paul, Resident of Singamura, Hapania, P.S.-Amtali, Agartala, Tripura(W).

2. Shri Ranjit Paul, S/O. Lt. Haradhan Paul, Resident of Singamura, Hapania, P.S.-Amtali, Agartala, Tripura(W).

3. Smt. Rita Rani Deb, W/O. Lt. Dipak Ch. Deb, D/O. Lt. Haradhan Paul, Resident of Singamura, Hapania, P.S.-Amtali, Agartala, Tripura(W).

4. Smt. Sita Paul, W/O. Nitai Baidya D/O. Lt. Haradhan Paul, Resident of Singamura, Hapania, P.S.-Amtali, Agartala, Tripura(W).

…… Appellant/Applicant(s).

V E R S U S

1. Shri Kanai Paul, S/O. Lt. Sukhendu Paul, Resident of Village Radhanagar, (By lane 3), P.O.-Abhoynagar, P.S.-West Agartala, Agartala, Tripura(W).

2. Smt. Manju Paul, W/O. Lt. Sukhendu Paul, Resident of Village Radhanagar, (By lane 3), P.O.-Abhoynagar, P.S.-West Agartala, Agartala, Tripura(W).

3. Smt. Mani Paul, D/O. Lt. Sukhendu Paul, Resident of Village Radhanagar, (By lane 3), P.O.-Abhoynagar, P.S.-West Agartala, Agartala, Tripura(W).

4. Sarajini Paul, W/O. Lt. Janakinath Paul of Radhanagar,(By lane 3), P.O.-Abhoynagar, P.S.-West Agartala, Agartala, Tripura(W).

……Respondent(s).

For Appellant/Applicant(s) : Mr. Saugat Datta, Advocate.

For Respondent(s) : None.

HON'BLE THE CHIEF JUSTICE MR. M.S. RAMACHANDRA RAO

Order

08/05/2026

This application is filed to condone the delay of 2133 days in filing the Second Appeal challenging the judgment dt.07.11.2019 of the District Judge, West Tripura, Agartala in Civil Misc. (Condonation) No.45 of 2017 in T.A. No.37 of 2017.

In the application filed seeking condonation of delay, it is stated that the Appeal ought to have been filed against the judgment of the lower

Appellate Court dt.07.11.2019 on or before 05.02.2020, but on account of reasons beyond the control of the applicant, who is an illiterate lady having no knowledge of law, the appeal could not be filed within time. Plea about the Covid-19 pandemic is also raised.

Since the petitioner had engaged a counsel in the trial Court and another counsel in the First Appellate Court, nothing prevented the petitioner from approaching the counsel and filing the Second Appeal between the period of 90 days, i.e. on or before 05.02.2020.

Therefore, the inordinate delay of 2133 days in filing the instant Second Appeal cannot be condoned, as the petitioner has been negligent in taking steps to file the said Second Appeal within the time permitted by law.

The application for condonation of delay (I.A. No.01 of 2025) is accordingly dismissed. Consequently, the RSA is dismissed.

Pending application(s), if any, also stands disposed of.

(M.S. RAMACHANDRA RAO, CJ)

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