

**(2024) 03 TP CK 0023****Tripura High Court- Agartala****Case No:** Interlocutory Application No. 1 Of 2024 In First Appeal No. 3 Of 2024

Md. Deepraj Sarkar

APPELLANT

Vs

Tahima Aktar

RESPONDENT

**Date of Decision:** March 28, 2024**Acts Referred:**

- Limitation Act, 1963 - Section 5

**Hon'ble Judges:** Arindam Lodh, J; S.D. Purkayastha, J**Bench:** Division Bench**Advocate:** D.K. Das Choudhury, A. Debbarma**Final Decision:** Allowed**Judgement**

Heard Mr. D.K. Das Choudhury, learned counsel appearing for the applicant. Also heard Ms. A. Debbarma, learned counsel appearing for the respondent.

This is an application filed under Section 5 of Limitation Act for condoning the delay of 89 days in preferring the connected appeal against the order dated 05.09.2023 passed by the Ld. Judge, Family Court, Udaipur, Tripura, in case No.TS(RCR) 20 of 2023.

Mr. Das Choudhury, learned counsel has submitted that the delay caused in preferring the appeal was unintentional and the reasons for the same have been explained in the instant application.

Ms. Debbarma, learned counsel has not raised any objection to the prayer for condonation of delay.

Considering the above submissions of the learned counsel appearing for the parties and after going through the reasons for causing delay, we deem it fit to allow the instant application.

Accordingly, the delay of 89 days in preferring the connected appeal is hereby condoned and the present application is allowed and disposed of.