

(2024) 03 TP CK 0024

Tripura High Court- Agartala

Case No: Interlocutory Application No. 1 Of 2023 In First Appeal No. 7 Of 2023

Priyanka Chowdhury

APPELLANT

Vs

Subham Banik

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: S. Lodh, Pujan Biswas, S. Debbarma

Final Decision: Allowed

Judgement

Heard Mr. S. Lodh, learned counsel appearing for the applicant. Also heard Mr. Pujan Biswas and Ms. S. Debbarma, learned counsel appearing for the respondent.

This is an application filed under Section 5 of Limitation Act for condoning the delay of 57 days in preferring the connected appeal against the judgment and order dated 14.07.2023 passed by the Ld. Judge, Family Court, West Tripura, Agartala, in Civil Misc. 81 of 2022 arising out of T.S.(Div) No.211 of 2022.

Mr. Lodh, 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.

Mr. Biswas, 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 57 days in preferring the connected appeal is hereby condoned and the present application is allowed and disposed of.