

Ramesh Kumar Vs. Somdatt

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Court : Madhya Pradesh

Decided On : Jan-24-2013

Appellant : Ramesh Kumar

Respondent : Somdatt

Advocate for Def. : Shri. Ghanshyam Pandey

Advocate for Pet/Ap. : Shri. Sushil Tiwari

Judgement :

CRR.No.92/2011 Criminal Revision No.92/2011 24.1.2013 Shri Sushil Tiwari, counsel for the applicant.

Shri Ghanshyam Pandey, counsel for the respondent.

Heard on I.A.No.1284/2011, an application under section 5 of the Limitation Act to condone the delay of 100 days in filing the present revision.

The applicant has preferred the present revision against the impugned judgment dated 3.6.2010 passed by the learned Additional Judge to Additional Sessions Judge, Katni in Criminal Appeal No.24/2010 and a delay of 100 days is caused in filing of the present revision.

After considering the submissions made by the learned counsel for the parties, the ground taken in the application relating to delay, appears to be not satisfactory.

A period of limitation is given to the parties, so that they may contact with their Advocates and to prepare their revisions in that period of limitation and therefore, if the applicant takes a plea that much of his time was utilized in taking legal advice then, it is not a reason for causing any delay in filing of the revision.

The learned counsel for the applicant has also submitted that the applicant was busy in marriage ceremony of his daughter during June-July of the CRR.No.92/2011 year 2010.

No such plea has been mentioned in I.A.No.1284/2011 and therefore, that plea orally taken by the applicant, appears to be an after thought.

There is no document submitted alongwith the application to show that the applicant was busy in that marriage.

Under such circumstances, there is no sufficient reason for condonation of delay of 100 days caused in filing of this revision.

Consequently, I.A.No.1284/2011 is hereby dismissed.

In the result, the present revision is hereby dismissed being barred by limitation.

(N.K.GUPTA) JUDGE Pushpendra

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