

Order dated: 30-10-2018

Both sides are duly represented through their Id. Counsels.

Today is fixed for order on petition no-272/18 filed by the plaintiff/petitioner under order 9 rule 9 R/W section 151 of the CPC praying for restoration of T.S. case no-104/18.

Heard. Perused.

The petitioner has filed a separate petition in this case being petition no-273/18(registered as MJ case no-36/18) under section 5 of Limitation Act for condonation of delay in filing the petition(instant case/petition) under order 9 rule 9 R/W section 151 of the CPC in T.S. case no-104/2018.

It is seen that this court has already dismissed the MJ case no-36/17 which was filed u/s 5 of Limitation Act for condonation of delay in filing the petition(instant case/petition) under order 9 rule 9 R/W section 151 of the CPC in T.S. case no-104/2018 vide order dated 30/10/2018. As the delay hasn't been condoned, the question of restoring the suit doesn't arise at all.

Hence in view of order dated 30/10/2018, the petition no-272/18 stands rejected.

Accordingly, this MJ case is disposed of.

  
**Munsiff  
Baksa**