

**THE HON'BLE SRI JUSTICE B.PRAKASH RAO**

**CIVIL REVISION PETITION NO.5013 OF 2009**

**ORDER:**

-

This Civil Revision Petition is filed aggrieved by order dated 06-07-2009 passed in I.A.No.455 of 2008 in O.S.No.2 of 2003, whereby the application filed under Section 5 of the Limitation Act, to condone the delay of 483 days in filing the petition to set aside the *ex parte* decree, was dismissed.

Heard learned counsel for the petitioners and perused the material available on record.

A perusal of the affidavit filed in support of the instant application shows that no reasons are forthcoming for the delay in filing the set aside petition except stating that the petitioners went to Hyderabad. The said reason is not sufficient to condone the delay of 483 days. Hence, in the absence of any sufficient reasons explaining as to why the delay occurred in filing the set aside petition, I do not find any illegality in the order passed by the Court below dismissing the application.

For the above reasons, there are no merits in this Civil Revision Petition and the same is, accordingly, dismissed. No order as to costs.

**RAO, J**

---

**B.PRAKASH**

Dated 30<sup>th</sup> October, 2009

vrn

