

**SUPREME COURT OF INDIA**

Ram Kali Devi (Smt)

Vs.

Manager, Punjab National Bank, Shamshabad

(S Sen and S Kurdukar JJ.)

01.08.1997

**ORDER**

1. Leave granted.

2. The District Judge dismissed the appeal on the ground of limitation. It appears that the High Court has considered the case on merits. It is contended on behalf of the learned counsel for the respondent that the High Court has in fact condoned the delay in filing the appeal. The High Court has given no reasons for condoning the delay in filing the appeal except a reference to the merits of the case. The merits of the case cannot be looked at without condoning the delay. We remand the case back to the High Court. The order of the High Court is set aside. The appeal is allowed. The matter is remanded back to the High Court to look into this matter and give a final judgment on all points including the point of limitation. There will be no order as to costs.