

(b) rule 1 of the civil
procedure



**ASSIGN
BUSTER**

(b) The period of limitation for an application for leave to appeal as a pauper to any other Court is thirty days and the time of limitation starts to run from the date of decree appealed from. Order XLIV, Rule 1 of the Civil Procedure Code provides that any person entitled to prefer an appeal, who is unable to pay the Court fee required for the memorandum of appeal, may present an application accompanied by a memorandum of appeal and may be allowed to appeal as an indigent person. The term ' pauper' means a poor person especially one so indigent as to depend on charity for maintenance or one supported by some public provision; one so poor that he must be supported at public expense.

' Pauper' is a person destitute of means except as is derived from charity, one allowed to sue in forma pauperis. The words ' pauper' and ' poor' have nearly the same meaning and they both embrace several classes. The limitation period is 60 days for appeals to High Court and 30 days for appeals to any other Court. Under Section 5 of the Limitation Act, the condemnation of delay in filing an application for leave to appeal as an indigent person is permissible.