

A.No.5669 of 2015
in
A.No.1837 of 2015

M.M.SUNDRESH, J.

Seeking to set aside the order dated 04.08.2015 in A.No.1837 of 2015 in C.S.D.No.40477 of 2013, passed by the learned Master, by which the application filed to condone the delay of 396 days in representing the suit SR.No.40477 of 2013 was rejected on the ground of insufficient reasons, the present application has been filed.

2.Learned counsel appearing for the applicant submits that the delay has been caused by the counsel's office. It is further submitted that the issue of representation is between the Court and the party. Therefore, an opportunity may be given to the applicant by setting aside the order passed by the Master.

3.Despite service of notice and the names of the learned counsel for the respondents having been printed in the cause list, there is no representation on behalf of the respondents.

M.M.SUNDRESH, J.

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4.This Court is satisfied with the reasons assigned in the affidavit filed in support of the application. What the applicant wants is an opportunity to put forth his case on merits.

5.Considering the averments made in the affidavit filed in support of the application, this application is ordered as prayed for.

16.08.2016

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