

A.No.3964 of 2016
in
C.S.No.567 of 2012

M.M.SUNDRESH, J.

The applicants are defendants 15 to 19 in the suit filed for partition and separate possession. As these defendants could not file written statement, the present application has been filed, seeking to condone the delay of 1268 days in filing the written statement.

2.In the affidavit filed in support of the application, it has been stated that by misconception, the written statement was not filed earlier and thereafter, on advice, the applicants decided to file the written statement.

3.There is no representation on behalf of the respondents.

4.Admittedly, the suit is still pending adjudication. Considering the same and after going through the averments made in the affidavit filed in support of the application, this Court is inclined to consider the prayer sought for by the applicants. Accordingly, the delay of 1268

M.M.SUNDRESH, J.

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days in filing the written statement of defendants 15 to 19 is
condoned and this application is allowed.

11.08.2016

mmi

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