

A.No.4449 of 2016
in
O.P.D. No.22545 of 2009

M.M.SUNDRESH, J.

This application has been filed by the applicant/mother of the respondents, who is also incidentally the petitioner in the unnumbered original petition. It appears that the delay in filing the application has already been condoned. The learned Master has dismissed the application filed for condonation of delay in representation.

2.Learned counsel appearing for the applicant submits that in so far as the first respondent is concerned, he has no objection. The matter could not be proceeded further in view of the objection raised by the second respondent and therefore, the delay in representation has occurred.

3.Despite service of notice, none appears for the respondents.

4.Representation is a matter between the Court and the party concerned. It appears that the respondents are not interested in opposing the application. Further more, it is a matter between the mother and the children. Normally, the delay in representation is

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attributable to the counsel. In any case, considering the facts of the case and taking note of the relationship between the parties, this Court is inclined to allow this application. Accordingly, this application is allowed.

17.10.2016

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