

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Civil Appellate Jurisdiction)

Thursday, the Sixteenth day of August Two Thousand Eighteen

PRESENT

THE HON`BLE MR JUSTICE N. SESHASAYEE

CMP NO.11449 OF 2018

IN AS.203/2017

G.KHAJA SAHIB

[PETITIONER]

Vs

V.JAMEEL AHMED

[RESPONDENT]

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to Extend the conditional order passed by this Honourable court on 04.09.2017 in C.M.P.No. 8723 of 2017 in the above appeal AS.203/2017

Order : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.K.R.B.DHARRANEE, Advocate for the petitioner and of MR.D.ASHOK KUMAR, Advocate for the Respondent the court made the following order:-

Heard both sides. On 04.07.2017, this Court has passed an order in CMP.No.8723 of 2017, directing the petitioner/appellant to deposit Rs.3,96,000/- towards arrears of damages (from the date of suit till August '2017) into the trial Court, and the payment was directed to be made within a period of twelve weeks from the date of receipt of copy of this order and he was also directed to continue to deposit Rs.9,000/- per month.

2. The said order was not complied with and now the present Civil Miscellaneous Petition is filed by the petitioner seeking extension of time.

3. Perused the affidavit. The learned counsel for the petitioner/ appellant submitted, even though he had preferred a copy application for obtaining a certified copy of the order without delay, the copy was served on him only after six months. Thereafter, the bundle itself was misplaced.

3. Apparently, the delay appeared to have been intervened due to procedural defects of the Registry. Necessarily, this Court deems it appropriate to condone the delay that had intervened in complying with the conditional order of this Court. The petitioner is however directed to deposit the entire amount of arrears accrued till 31.07.2018, on or before 24.08.2018. The petitioner is also directed to deposit 50% of the Lower Court cost, on or before 24.08.2018.

4. Post the matter on 31.08.2018.

-sd/-

16/08/2018

/ TRUE COPY /

Sub-Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

1 THE 2ND ADDITIONAL DISTRICT
AND SESSIONS JUDGE, VELLORE @ RANIPET,
VELLORE DISTRICT.

C.C. to M/S.K.R.B.DHARRANEE Advocate Sr.No.9728

Order

in

CMP.11449/2018

in

AS.203/2017

Date :16/08/2018

From 26.2.2001 the Registry is issuing certified
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RRI 21/08/2018 (IT)