

HON'BLE SRI JUSTICE V.RAMASUBRAMANIAN

Civil Revision Petition No.1330 of 2018

Order:

The revision arises out of the refusal of the Court below to condone the delay of 1,506 days in seeking restoration of another application.

2. Heard Mr. Prakash Chakravarthy, learned counsel for the petitioner and Smt. Kalla Tulasi Durgamba, learned counsel for the respondent.

3. O.S.No.33 of 2009 filed by the respondent herein was decreed *ex parte* on 15-3-2011. The petitioner filed I.A.No.477 of 2011 under Order IX, Rule 13 CPC. But it was dismissed for default on 12-6-2012.

4. The petitioner later filed I.A.No.626 of 2012 for condoning the delay of 327 days in filing the application for restoration of I.A.No.477 of 2011. This condone delay application I.A.No.626 of 2012 was dismissed for non-prosecution on 04-6-2013. Subsequently, another application in I.A.No.545 of 2011 was filed under Order IX, Rule 13 CPC once again but the same was also dismissed on 24-7-2017.

5. Thereafter, the petitioner came up with an application for condonation of the delay of 1,506 days in seeking restoration of an application for condonation of the delay in filing an application seeking restoration of the application for setting aside the *ex parte* decree. Unable to

condone so many defaults, the Court below dismissed the condone delay application. I find no justification to interfere with the said order. Hence, the civil revision petition is dismissed. The interlocutory applications, if any, pending in this revision shall stand closed. No costs.

V.RAMASUBRAMANIAN, J.

08th June, 2018.
Ak



HON'BLE SRI JUSTICE V.RAMASUBRAMANIAN

Civil Revision Petition No.1330 of 2018



08th June, 2018.
(Ak)