

C.M.P.No.1402 of 2007

in

A.S.No.237 of 1994

V.BHARATHIDASAN,J.

This petition has been filed to restore the appeal, which was dismissed for default on 28.02.2007.

2. The learned counsel appearing for the appellant would submit that earlier the appellant engaged a counsel and suddenly, he has given a change of vakalat on 20.02.2007. Hence, the appellant could not immediately engage another counsel. In the mean time, the appeal was dismissed for non prosecution on 28.02.2007. After engaging a new counsel, he immediately filed the petition for restoration.

2. I have heard both sides and perused the materials available on record.

3. Being satisfied with the reasons assigned in the affidavit filed in support of this petition, this petition is allowed and the appeal is restored.

Post the appeal on 25.04.2019 for hearing.

mrp

15.04.2019