

C.M.P. 10277 of 2019
in
A.S. 1087 of 2009

V.BHARATHIDASAN,J.

This Civil Miscellaneous Petition has been filed seeking to restore the appeal, which has been dismissed for default.

2. The learned counsel appearing for the petitioners/appellants submitted that when the appeal was posted for hearing on 28.02.2019, the learned counsel failed to note the case from the cause list. Hence, he could not appear on that day. Therefore, the appeal was dismissed for non-prosecution. Now, the present application has been filed to restore the appeal.

3. Being satisfied with the reasons stated in the affidavit filed in support of this petition, this petition is allowed and the Appeal suit is restored on file.

4. Post the appeal for final hearing on 17.06.2019.

26.04.2019

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