

C.M.P.No.10126 of 2019
in
C.R.P.(SR).No.15472 of 2019

R. SURESH KUMAR, J.

This petition has been filed to condone the delay of 154 days in filing the CRP.SR.No.15472 of 2019 as against in E.P.No.76 of 2013 in O.S.No.261 of 2004 on the file of the Principal District Munsif Court, Kallakurichi.

2. Heard the learned counsel appearing on behalf of the petitioner and the learned counsel appearing on behalf of the respondent.

3. Though the learned counsel appearing on behalf of the respondent had vehemently contended that there is no proper reason stated in the affidavit filed in support of this petition to condone the delay of 154 days and each day has not been properly explained with separate documents, this Court, considering the above said contention of the learned counsel appearing for the respondent and after having gone through the reasons stated in the affidavit filed in support of this petition and taking into account the issues raised in the main revision petition, is inclined to allow this petition, of course on terms.

4. In the result, this Civil Miscellaneous Petition is allowed and delay is condoned on condition that the petitioner shall pay cost of Rs.3,000/- to the respondent within a period of two weeks. It is made clear that if the said conditional order is not complied with, the present order allowing this petition would stand automatically vacated without any reference to this Court.

25.09.2019

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