

A.No.7914 of 2019
in
CS.No.442 of 2015

K.KALYANASUNDARAM, J.

This application has been filed to condone the delay of 328 days in filing the application to set aside the exparte decree dated 02.07.2018 in CS.No.442 of 2015.

2. It is the case of the applicant that in pursuance of the Joint Venture Agreement, the applicant/defendant paid a sum of Rs.12,00,000/- [Rupees Twelve Lakhs only] and allotted one Flat and thereafter, he left there and now he is residing in USA.

3. According to the learned counsel for the applicant, the suit summons were not served on the defendants and he became aware of the exparte decree only on 13.06.2019.

4. Though the respondent has filed a detailed counter opposing the application, however, considering the facts and circumstances of the case, the delay of 328 days in filing the Application to set aside the exparte decree, is hereby condoned.

5. This application is ordered accordingly.

15.11.2019

KMI

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