

A.No.7470 of 2019
in
OP.No.964 of 2015

K.KALYANASUNDARAM, J.,

This Application is filed to condone the delay of 220 days in filing the application to set aside the exparte order dated 05.12.2018 passed in OP.No.964 of 2015.

2. In the affidavit filed in support of the application, it is stated that the applicant's husband and her father-in-law died in the year 2009 & 2010 respectively and she is in possession of the petition property. It is further stated that the Will is forged and fabricated document and she could not contest the petition due to the financial constrain.

3. The learned counsel for the applicant would submit that the applicant has shown sufficient cause for condoning the delay.

4. Per contra, the learned counsel for the respondents referring the counter would argue that the applicant herself has admitted the executorial level in his notice dated 12.06.2015 and the delay is not explained properly.

5. Considering the averments made in the affidavit filed in support of the application and also the submission made by the learned counsel for the applicant, the delay of 220 days in filing the application to set aside the exparte order dated 05.12.2018 passed in OP.No.964 of 2015, is hereby condoned.

6. This application is ordered accordingly.

KMI

23.10.2019

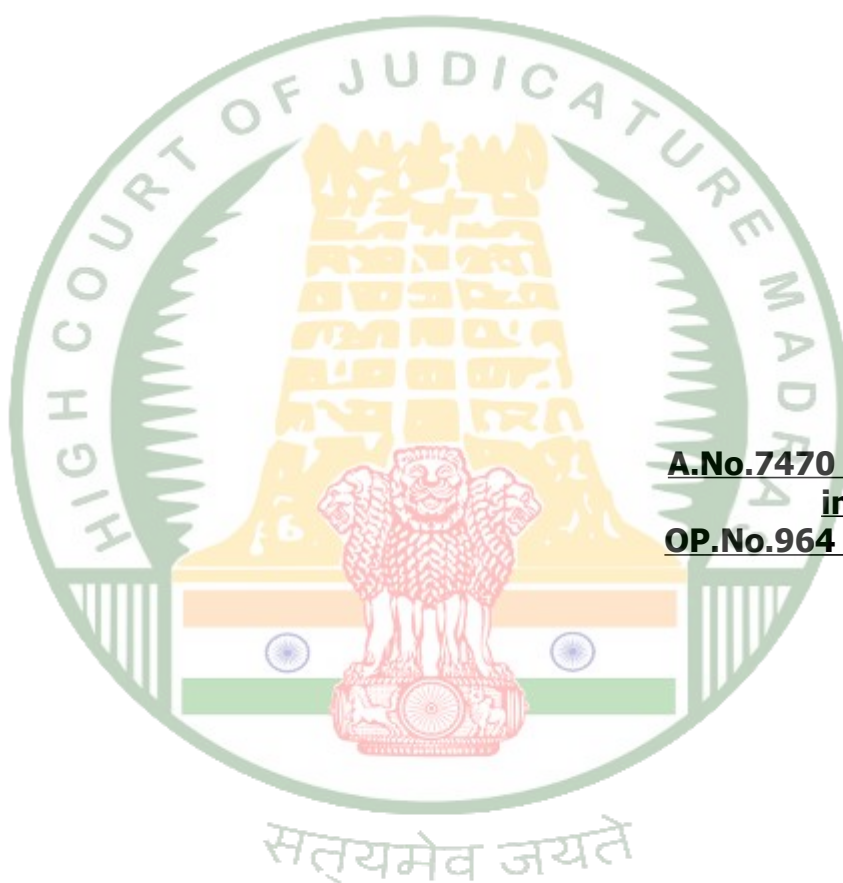


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