

C.M.P.Nos.18343 & 18349 of 2019
in
C.R.P.(NPD).Nos.878 & 879 of 2015

R.SURESH KUMAR, J.

These two Civil Miscellaneous Petitions have been filed to extend the time of paying the cost awarded by this Court, at the time of allowing these revisions, which came up for hearing on 24.09.2019, where this Court passed the following order:

"2. It is an admitted case on the part of the petitioner that, the order dated 18.12.2017, by which the CRPs were allowed, immediately has been made ready. However, the learned counsel on record seems to have not communicated to the petitioners immediately. Thereafter, even after receipt of the copy of the order, the same has been misplaced by the petitioners. Therefore, cost imposed by the order of this Court could not be paid. Therefore, there is huge delay in payment of cost of Rs.20,000/- imposed by order dated 18.12.2017. Therefore, the present petitions have been filed to extend the time.

3. Reasons cited in the affidavit filed in support of these petitions cannot be accepted as it can only be construed as delay on the part of the petitioners.

4. However, instead of dismissing these petitions, as that would defeat the rights of the petitioners, who were able to succeed in the main revision on merits by order dated 18.12.2017, in order to compensate the delayed payment of the cost awarded by this Court, and to meet the ends of justice, this court is inclined to accept these petitions, of course, with a modification in the order dated 18.12.2017, by which, instead of the cost Rs.20,000/- which was to be paid to the respondent, a cost of Rs.40,000/- (Rs.20,000/- in each petition payable by the petitioners to the respondent) shall be paid within a period of two weeks from today and the petitioners shall file a receipt to that effect before this Court."

2.Pursuant to the said order, the enhanced cost of Rs.40,000/- combined for both cases, claimed to have been paid and in that effect, the learned counsel for the petitioners has filed a proof affidavit along with the copy of the covering letter there, it is claimed that, the said amount of Rs.40,000/- was drawn by way of DD in favour of the respondent and the same was sent by registered post, which was delivered to the respondent.

3.Since the said enhanced cost has been paid as stated above, this Court is inclined to extend the said time and accordingly, the time granted originally by this Court, at the time of disposing of the Civil Revision Petitions, since has been extended till the date of payment and now the payment has been made by way of enhanced cost, as per the latest order of this order as referred above, these Civil Miscellaneous Petitions are ordered.

Sgl

21.10.2019

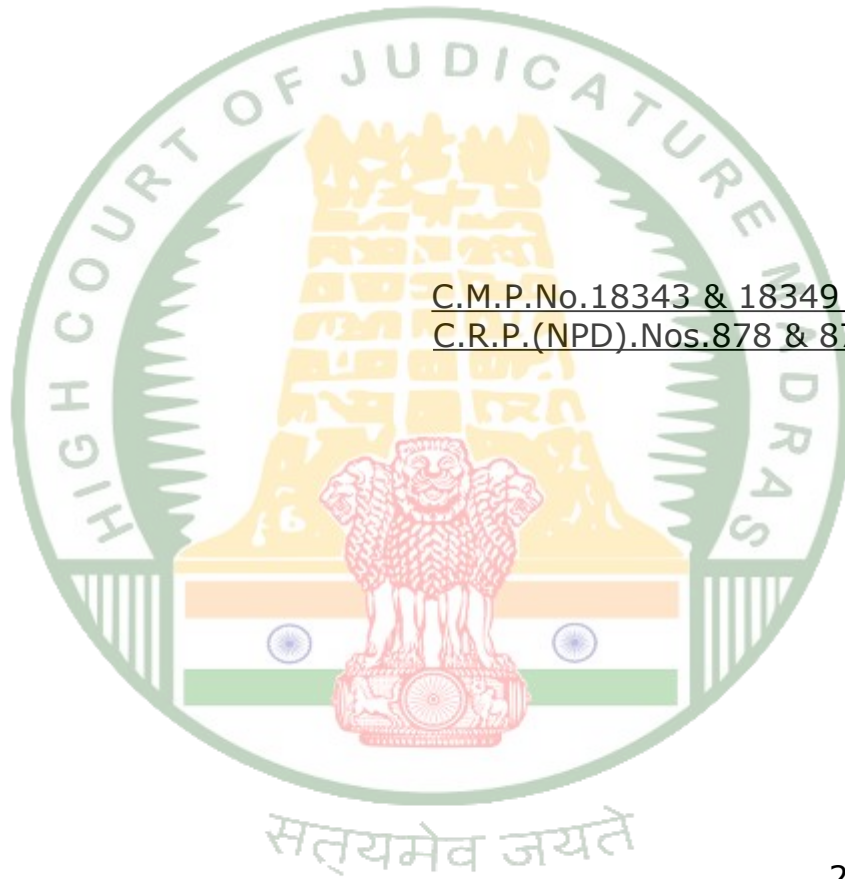


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