

A.No.9653 of 2019

in

O.P.No.174 of 2017

SENTHILKUMAR RAMAMOORTHY, J.

This application is filed to condone the delay of 114 days in filing the application to set aside the abatement caused due to the death of the second respondent.

2. I heard the learned counsel for the applicants and the learned counsel for the respondents.

3. The learned counsel for the applicants submitted that the second respondent died during the pendency of the petition. He further submitted that he could not obtain necessary instructions from his client in time and therefore, the present application is filed.

4. The learned counsel for the respondents have no objection if this application is allowed.

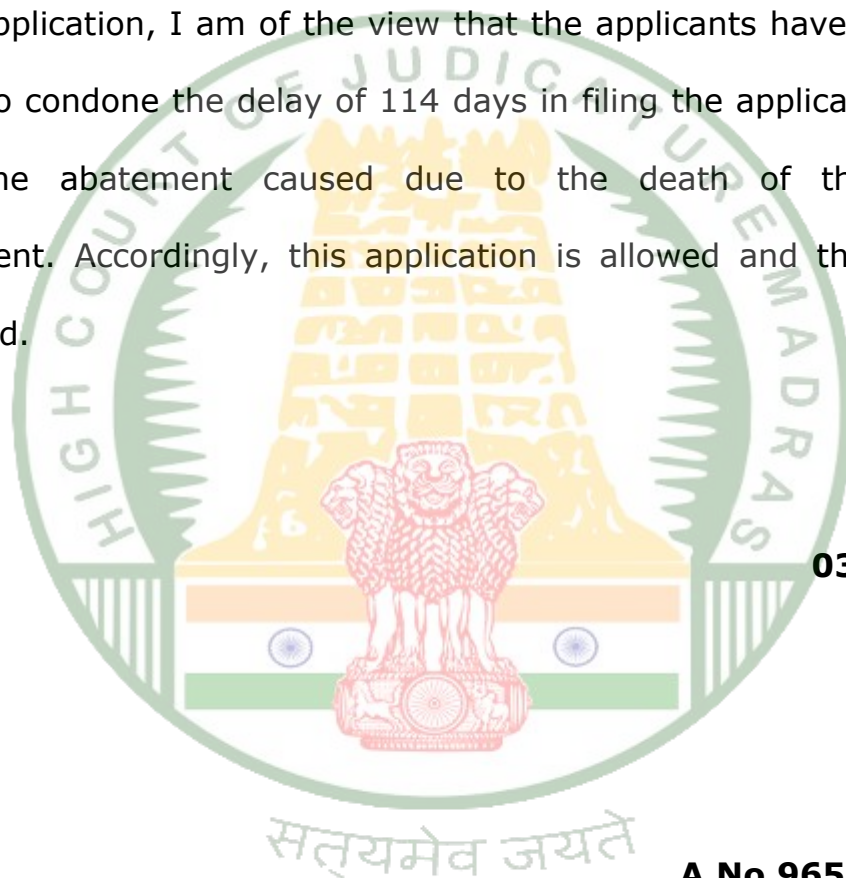
SENTHILKUMAR RAMAMOORTHY,J

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5. Upon considering the submissions of the learned counsel for the respective counsel and on examining the affidavit filed in support of the application, I am of the view that the applicants have made out a case to condone the delay of 114 days in filing the application to set aside the abatement caused due to the death of the second respondent. Accordingly, this application is allowed and the delay is condoned.

03.02.2020

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