

A.No. 10014 of 2018
in
C.S.No. 392 of 2015

R.SUBRAMANIAN, J.

This application has been filed seeking to set aside the order setting the defendant exparte dated 03.08.2018. The suit is one for specific performance. Since the defendant did not file written statement, she was set exparte on 03.08.2018.

2. In the affidavit filed in support of the application seeking to set aside the order, it is stated that the applicant was hospitalized due to hip injuries suffered by her and she was undertaking treatment till 07.08.2019. It is also stated that the earlier counsel returned the papers expressing his inability to appear.

3. Accepting the said reasons, this application is allowed exparte order dated 03.08.2018 is set aside. Registry is directed to number the application seeking condonation of delay in filing the written statement, if it is otherwise in order and post the same on 08.08.2019.

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