

HON'BLE SRI JUSTICE T.AMARNATH GOUD

M.A.C.M.A.M.P.No.4826 of 2013 in C.M.A.No.3147 of 2002
and
C.M.A.No.3147 of 2002

JUDGMENT:

This Court by order dated 11-02-2011 in C.M.A.No.3147 of 2002 while permitting the appellant to take out personal notice to the respondents, directed the appellant to file proof of service, in default, the appeal shall automatically stands dismissed. Since the said order has not been complied with, the appeal was dismissed for default.

Now the appellant filed MACMA MP No.4826 of 2013 to condone the delay of 881 days in filing the petition to set aside the dismissal order dated 11-02-2011 passed in C.M.A.No.3147 of 2002.

A perusal of the affidavit filed in support of the petition, shows that there is no sufficient ground to condone the said delay and therefore, the said application is liable to be dismissed.

Accordingly, MACMA MP No.4826 of 2013 is dismissed. Consequently, the appeal also stands dismissed in terms of the order dated 11-02-2011. No costs.

All the miscellaneous petitions, if any pending, shall stand closed.

JUSTICE T.AMARNATH GOUD

Date: 29.08.2019
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