

**C.M.P.No.8177 of 2019**  
**in**  
**C.M.A.SR.No.23725 of 2018**

**S.VAIDYANATHAN,J.**

This matter is listed today under the caption '**for being mentioned**'.

2. On 10.01.2020, when this matter was taken up for hearing, this Court had condoned the delay of 81 days in filing the Restoration Petition in C.M.P.No.21576 of 2018 in CMA SR.No.23725 of 2018. However, in paragraph 4 of the said order, there was a direction to the Registry to number the Civil Miscellaneous Appeal, if it is otherwise in order.

3. As the above Civil Miscellaneous Petition is filed only to condone the delay in filing the Restoration Petition, **paragraph 4 of the order dated 10.01.2020 passed in the above Petition, is recalled.** Remaining portion of the order dated 10.01.2020 holds good.

4. Since this Court finds no merit in the main Appeal itself and is of the view that, it needs to be dismissed on its own merits, without keeping it pending anymore, so as to give a quietus to the issue, **the Petition in C.M.P.SR.No.42565 of 2019 filed for restoration of the Petition in C.M.P.No.21576 of 2018, seeking to condone the delay in re-presenting the Appeal, is ordered,** and despite the fact that cost has not yet been paid, the Petition in C.M.P.No.21576 of 2018 seeking to condone the delay in representing the Appeal, is also ordered.

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**23.01.2020**

(aeb)

**Note to Registry:**

Number **C.M.P.SR.No.42565 of 2019 and C.M.A.SR.No.23725 of 2018**, as final order is passed in the above Appeal and send the bundle to the P.A. concerned, for tying final order.

**S.VAIDYANATHAN,J.**

(aeb)



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