

CMP.No.24819 of 2019
in
CRP(NPD).No.3961 of 2012

RMT.TEEKAA RAMAN,J.,

Heard the learned counsel for the petitioner.

2 This Civil Miscellaneous petition has been filed to condone the delay of 185 days in filing the restoration petition against the order passed in CRP(NPD).No.4613 of 2012.

3 The reason stated by the learned counsel for the petitioner to condone the delay of 185 days is that he has filed a Special Leave Petition in SLP.No.23390 of 2019 before the Hon'ble Supreme Court. On 03.10.2019, when the matter was came up for hearing before the Hon'ble Supreme Court, the learned counsel for the petitioner therein sought permission of that Court for withdrawing the case in SLP.No.23390 of 2019 with liberty to file appropriate application before this Court and the same was ordered as prayed for. On 21.01.2020, he has produced a copy of the above said SLP order before this Court.

4 After going through the order, I find that the petitioner has approached the Hon'ble Supreme Court in Special Leave Petition in SLP.No.23390 of 2019 (Civil) and by an order dated 03.10.2019, the same was permitted to be withdrawn with liberty to

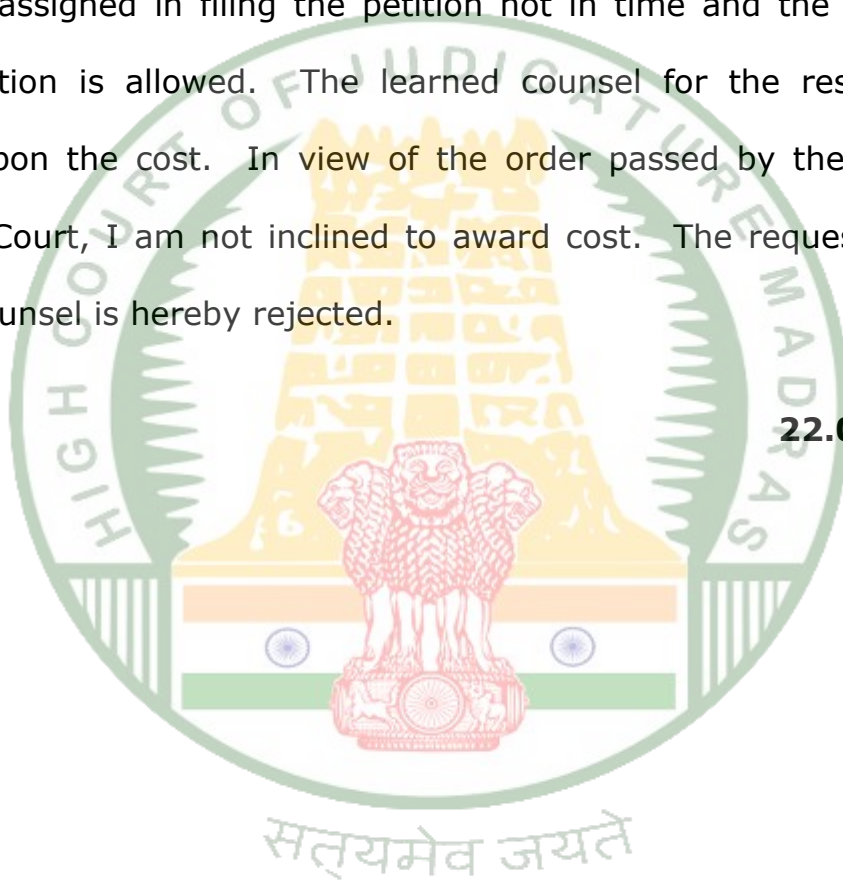
RMT.TEEKAA RAMAN,J.,

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move the Court. Taking into consideration that the time lapsed in approaching the Hon'ble Supreme Court and also taking note of the liberty granted by the Hon'ble Supreme Court, I find that sufficient reason is assigned in filing the petition not in time and the condone delay petition is allowed. The learned counsel for the respondent insisted upon the cost. In view of the order passed by the Hon'ble Supreme Court, I am not inclined to award cost. The request of the learned counsel is hereby rejected.

22.01.2020

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