

CMP No.2966 of 2021 in
C.M.A. (SR) No.2294 of 2021

T.RAJA, J.
and
G.CHANDRASEKHARAN, J.

(Order of the Court was made by T.RAJA, J.)

The Civil Miscellaneous Petition has been filed to condone the delay of 67 days in filing the above appeal.

2. Even though this Court, ordinarily issues notices to the respondent in the petitions seeking condonation of delay in filing of the cases, in the present case also, as a matter of fact, notice has to go to the respondent, but, we are inclined to condone the delay of 67 days in filing the above appeal, in view of the order passed by the Hon'ble Apex Court, taking suo motu cognizance of the situation arising out of COVID-19 pandemic and in exercise of powers conferred under Article 142 read with Article 141 of the Constitution of India, in a Suo Motu Writ Petition (Civil) No.3 of 2020 dated 23.03.2020, ordered that a period of limitation in all such proceedings irrespective of the limitation prescribed under the General Law or Special Laws whether condonable or not shall stand extended with effect from 15.03.2020 till further orders to be passed by the Hon'ble Apex Court. The relevant portion of the said order passed by the Hon'ble Apex Court is extracted below:-

'This Court has taken suo motu cognizance of the situation arising out of the challenge faced by the country on account of Covid-19

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Virus and resultant difficulties that may be faced by litigants across the country in filing their petitions/applications/suits/appeals/all other proceedings within the period of limitation prescribed under the general law of limitation or under special laws (both Central and/or State).

To obviate such difficulties and to ensure that lawyers/litigants do not have to come physically to file such proceedings in respective Courts/ Tribunals across the country including this Court, it is hereby ordered that a period of limitation in all such proceedings, irrespective of the limitation prescribed under the general law or Special Laws whether condonable or not shall stand extended w.e.f. 15th March 2020 till further order/s to be passed by this Court in present proceedings.'

3.As we are bound by the above order passed by the Hon'ble Apex Court, condoning the delay occurred during the Covid-19 corona period, bearing in mind that the delay occurred in the present case is during the corona pandemic time, we allow the petition condoning the delay of 67 days in filing the appeal, accepting the sufficient cause shown in the affidavit.

(T.R.,J.) (G.C.S.,J.)
24.02.2021

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