

C.M.P.No.2215 of 2019
in S.A.SR.No.3798 of 2019

P.T.ASHA, J.

In the above petition, the second respondent died on 23.12.2017. A memo has been filed stating that she had passed away even before filing of the Second Appeal and her husband predeceased her and they had no issues.

2.Learned counsel for the petitioners/appellants therefore seeks to dispense with the notice on the second respondent. The memo is taken on file and the death is recorded and the notice is dispensed with.

3.The first respondent has been served but he has not entered appearance either in person or through counsel.

4.The above petition has been filed to condone the delay of 823 days in preferring the above Second Appeal.

P.T.ASHA, J.

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5.Sufficient reasons for the delay have been given in paragraphs 4 and 5 of the affidavit filed in support of the petition and accordingly, the petition is ordered and the delay of 823 days is condoned.

6.Registry is directed to number the appeal if it is otherwise in order.

25.08.2021

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