

C.M.P.No.14464 of 2020
in
S.A.No.(SR).100393 of 2019

P.T. ASHA, J.

Notice sent through Court has been returned with an endorsement “Not claimed”. A perusal of the returned cover would indicate that on two occasions, the Postal Authorities have given intimation about the post since the door has been locked. However, none have come to claim the said notice. Therefore, the notice is deemed to have been received as served on the respondent.

2.The above application is filed for condoning the delay of 101 days in filing the Second Appeal.

3.In the affidavit filed in support of the petition, it is stated that the two reasons have been given (a)that the learned counsel at the Lower Court has failed to notice that the Judgment and Decree has been made ready and on 28.01.2019 and (b)that in the meanwhile, the appellant has fallen sick and therefore, do not come to contact the counsel.

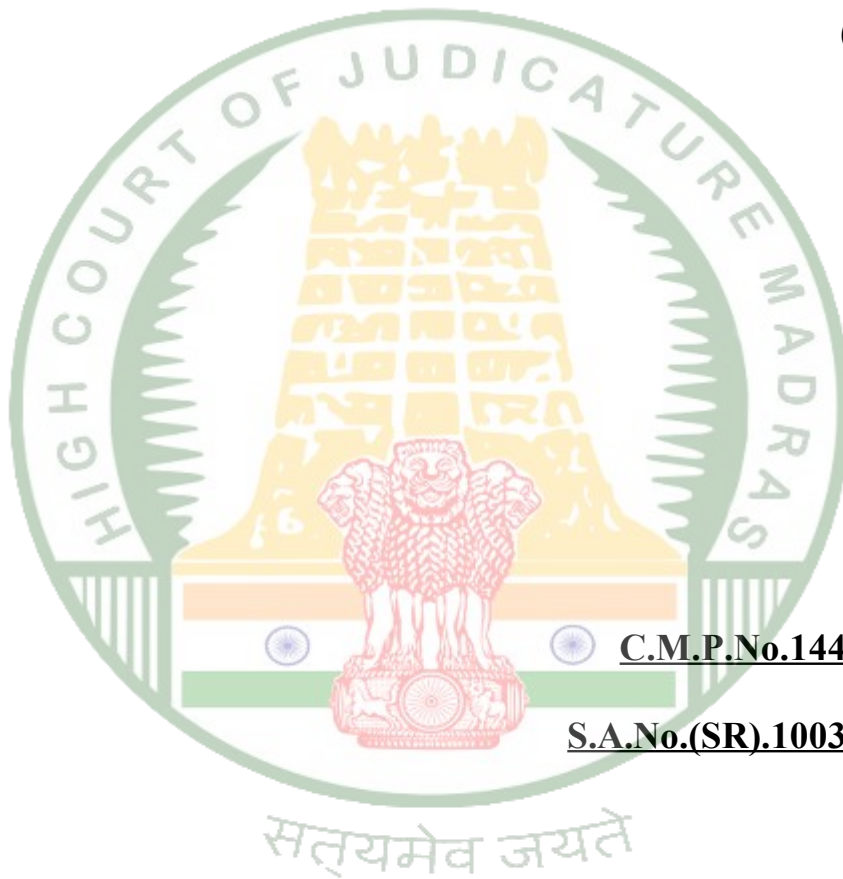
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mps

The reasons have been adequately given in Paragraph 3 of the affidavit filed in support of this petition. Hence, the delay is condoned and this petition is ordered.

03.08.2021

mps



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