

A.No.3034 of 2021
in C.S No.658 of 2019

DR.G.JAYACHANDRAN, J.

The defendant, who received the suit summons on 13.12.2019 and duly acknowledged the receipt of the summons to the plaintiff through e-mail, not filed the written statement till 03.08.2021. Hence, this Court called him absent and set exparte and directed the plaintiff to appear before the Additional Master IV for recording his deposition. Thereafter, the defendant has taken out the present application to set aside the exparte order and permit him to file written statement, which is made ready and can be filed at any point of time.

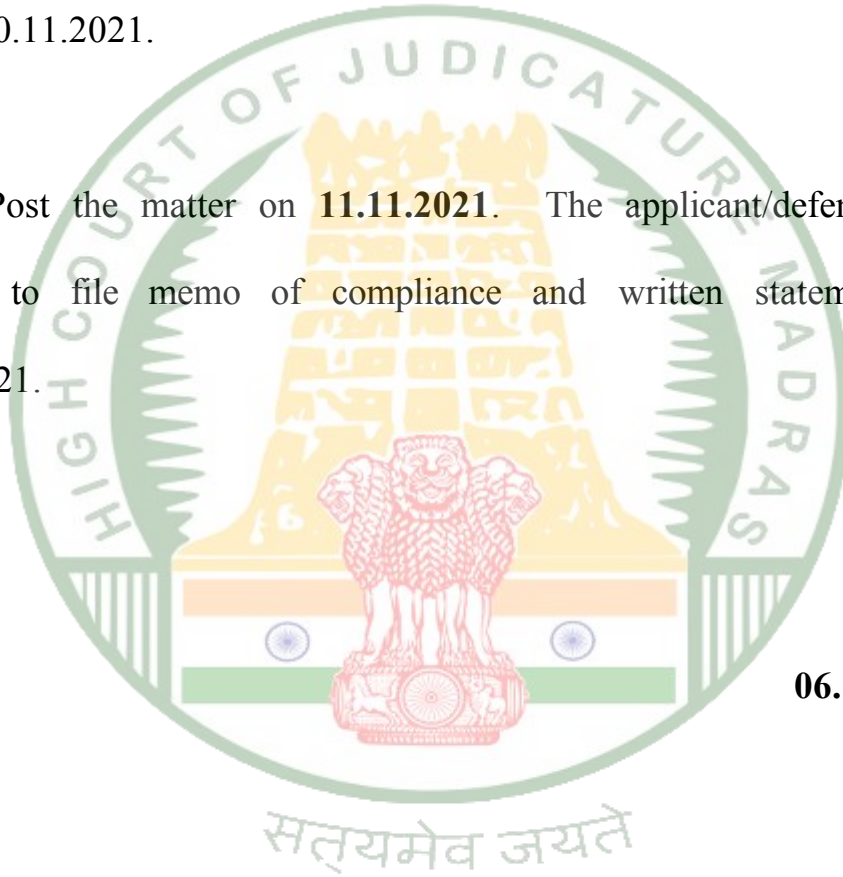
2.Considering the reasons stated in the affidavit for not appearing before this Court and filed the written statement in time inspite of receipt of the suit summons, which appears to be due to the inadvertence of the staff and the defendant being a banking institution, this Court is of the view that fair opportunity should be given to the applicant/defendant to defend the money suit. Hence, the order dated 03.08.2021 is set aside on payment of costs of **Rs.25,000/- (Rupees Twenty Five Thousand only)**

DR.G.JAYACHANDRAN,J.

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to the Legal Services Authority payable by the applicant/defendant on or before 10.11.2021.

3.Post the matter on **11.11.2021**. The applicant/defendant is directed to file memo of compliance and written statement by 11.11.2021.



06.10.2021

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