



C.M.P.Nos.11941 and 11942 of 2020
in
A.S.Sr.No.9791 and 9792 of 2020

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R.N.MANJULA, J.

The Civil Miscellaneous Petition in C.M.P.No.11941 of 2020 has been preferred to condone the delay of 740 days in filing the above appeal in A.S.Sr.No.9791 of 2020.

2. The Civil Miscellaneous Petition in C.M.P.No.11942 of 2020 has been preferred to condone the delay of 40 days in filing the above appeal in A.S.Sr.No.9792 of 2020.

3. Heard the learned counsel for the petitioners and the learned counsel for the respondents and also perused the materials available on record.

4. The learned counsel for the petitioners submitted that during the pendency of the final decree proceedings some compromise efforts were taken and in view of that, the petitioners did not file any counter in the final



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decree proceedings. Subsequently, they omitted to know about the development. During that interval final decree was passed. Unless the delay is condoned, the appellants will not get any opportunity to contest the First Appeal and much prejudice would be caused to the appellants. At the same time, the delay and the hardship caused to the respondents cannot be overlooked. Considering the same, I feel these petitions can be allowed on costs.

5. In view of that, these Civil Miscellaneous Petitions are ordered as prayed for. The learned counsel for the petitioners is directed to pay costs of Rs.3,000/- (Rupees Three Thousand only) to the respondents in each of the petitions within a period of two weeks from the date of receipt of a copy of this order, failing which, the petitions will stand automatically dismissed.

21.07.2022

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R.N.MANJULA, J.



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