



C.M.P.No.7370 of 2018  
in O.S.A.(SR).No.30235 of 2018

**M.DURAIWAMY, J.**  
**and**  
**SUNDER MOHAN, J.**

(Order of the Court was made by M.Duraiswamy,  
J.)



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There is a delay of 330 days in filing the appeal.

2.In the affidavit filed in support of the petition, the petitioners have stated the reasons for the delay. Further, in the affidavit, the petitioners have stated that the junior counsel's father met with a major accident on 24.03.2017 and sustained head injury and was admitted in hospital as inpatient for two weeks (i.e.) upto 07.04.2017. Since the junior counsel was accompanying his father to the hospital for regular check up, there was a delay in filing the appeal. That apart, the petitioners have also stated that when the stamps were called for on 07.04.2017, some body had deposited the stamps without the knowledge of the petitioners/appellants. However, this averment was denied by the respondents 1 & 2 in their counter dated 25.06.2022 stating that some body else had deposited the stamps. In any event, since the petitioners have explained the reasons for the delay, we are of the view that in the interest of justice, the same can be condoned.

3.The learned counsel for the respondents 1 & 2 also has no objection for condoning the delay.

4.In these circumstances, the delay of 330 days in filing the Original Side Appeal is condoned. The petition is ordered.

[M.D.,J.]

[S.M.,J.]



va

27.06.2022



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