



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

THURSDAY, THE 28TH DAY OF APRIL 2022

THE HON'BLE MR. JUSTICE P.VELMURUGAN

A.Nos. 1880 & 1881 of 2022

in

A.Nos.185 & 186 of 2022

in

A.Nos.4082 & 4083 of 2013

in

C.S.D.No.23136 of 2013

N.Sekar,
S/o. Nageswaran,
No.91/89, Second Street,
Aspiran Garden, Kilpauk Garden Road,
Chennai - 600 010

...Plaintiff / Applicant in
all the Applications

versus

1) The Chief Executive Officer,
Chennai Metropolitan Development Authority,
ThalamuthuNatarajan Building,
No.8, Gandhi Irwin Road, Chennai - 600 008.

2) M/s. Auto Transport,
By its Sole Proprietor,
Mr. Hargovind Khaitan,
No.25, Thiruvottiyur High Road,
Chennai - 600 021.
Now at Mohalla, Boring Canal Road,
P.O. & Town,
Patna - 800 001.

...Defendants / Respondents in
all the Applications

**A.No. 1880 of 2022:-**

Application praying that this Hon'ble Court be pleased to extent the further time of 6 weeks from 27-04-2022 to pay cost or for filing of appeal as against the order and decreetal order passed in the above A.No.185 of 2022 in A.No.4082 of 2013 in C.S.D.No.23136 of 2013 which was allowed on payment of cost of Rs.2,50,000/- on 07/04/2022.

A.No. 1881 of 2022:-

Application praying that this Hon'ble Court be pleased to extent the further time of 6 weeks from 27-04-2022 to pay cost or for filing of appeal as against the order and decreetal order passed in the above A.No.186 of 2022 in A.No.4082 of 2013 in C.S.D.No.23136 of 2013 which was allowed on payment of cost of Rs.2,50,000/- on 07/04/2022.

These Applications coming on this day before this court for hearing, the court made the following order:-

The present applications in A.Nos.1880 and 1881 of 2022 have been filed by the applicant /plaintiff seeking extension of time to pay costs or for filing of appeal as against the order passed in the Application Nos.185 and 186 of 2022, which were allowed on payment of costs on 07.04.2022.

2. Application Nos.185 & 186 of 2022 have been filed by the applicant/plaintiff seeking to condone the delay of 1771 days in filing the applications to restore the Application Nos.4082 and 4083 of 2013 in



C.S.D.No.23136 of 2013, which were dismissed for non-prosecution on 24.01.2017.

3. By order dated 07.04.2022, this Court allowed A.Nos.185 & 186 of 2022 for condonation of delay in filing the applications to restore the applications on payment of costs and posted the matter today ie., on 28.04.2022, “for reporting compliance”.

4. Applicant has not complied with the order of this Court. Instead, the applicant has filed the present applications seeking extension of time for filing appeal against the order passed in the Application Nos.185 and 186 of 2022. Considering the length of delay, this Court is not inclined to allow these applications.

5. Since the reasons stated in the accompanying affidavit are not satisfactory, this Court is inclined to dismiss the applications. Accordingly, the applications are dismissed.

Sd./-PVJ.

28/04/2022

//Certified to be true copy//

Dated at Madras this the day of 2022.

COURT OFFICER(O.S.)

From 25th Day of September 2008 the Registry is issuing certified copies of the Orders/Judgments/Decrees in this format.

EVK 12/05/2022