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C.M.P.No.12073 of 2021

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in
S.A.No.714 of 2008

C.V.KARTHIKEYAN, J.

The present Civil Miscellaneous Application has been filed to condone the delay of 18 days in filing the application to restore the Second Appeal which had been dismissed for non prosecution on 27.01.2020.

2.It had been stated by the learned counsel for the petitioner that on that particular date two or three matters were simultaneously listed in various Courts. In view of that particular situation, the matter was not represented. It is stated that non representation was neither willful nor wanton.

3.It is also seen that there is a connected S.A.No.713/2008 in which, the issues are immediately connected with the present Second Appeal.

4.It is contended that it would be appropriate that both the appeals are heard together.

5.It is also to be mentioned that S.A.No.713/2008 is still on the board of the Court.



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6.In view of the reasons, the Civil Miscellaneous Petition is allowed and the delay of 18 days is condoned.

7.Registry may examine the application filed to restore the Second Appeal and put it up for consideration again on 22.07.2022.

07.07.2022

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