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C.M.P.No.12234 of 2022 in C.M.A.No.SR48560 of 2016
C.M.P.No.12236 of 2022 in C.M.A.No.SR48564 of 2016
C.M.P.No.12238 of 2022 in C.M.A.No.SR48557 of 2016
AND
C.M.P.No.12249 of 2022 in C.M.A.No.SR48562 of 2016

R. MAHADEVAN, J.
AND
MOHAMMED SHAFFIQ, J.

(Order of the Court was made by R.Mahadevan, J.)

These petitions are filed by the petitioner/appellant seeking to condone the delay of 1789 days in representing the above Civil Miscellaneous Appeals.

2.It is averred in the affidavits filed in support of these petitions that the appeals were filed on 05.07.2016 and the same were returned by the Registry on 12.07.2016 for complying with certain defects; the documents which were required for rectifying the defects, were received only in April 2022; thereafter, the appeal papers were represented with a delay of 1789 days; and hence, the delay occasioned in the said process, is neither wilful nor wanton.

3.Heard Mr.A.P.Srinivas, learned Senior Standing Counsel appearing for the petitioner/appellant, who submitted that similar issue arising out of the

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judgment and order dated 27.03.2015 passed by this Court in W.P.No.27363 of 2012 as reported in *2015 (323) ELT 489 (Mad) (Malladi Drugs & Pharmaceuticals Ltd v. Union of India)*, was taken on appeal before the Hon'ble Supreme Court in Special Leave to Appeal (C) No.CC.229 of 2016, in which, the appeal was entertained and an order of interim stay was granted by the Hon'ble Supreme Court.

4.Taking note of the aforesaid aspects, the delay is condoned and these petitions are ordered as prayed for.

[R.M.D., J.] [M.S.Q., J.]

gya 10.08.2022

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