



*A.No.3996 of 2022
in C.S (Comm.Div).No.19 of 2022*

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M.SUNDAR, J

Parties in the captioned application are referred to by their respective ranks in the main suit for the sake of convenience and clarity.

2. Mr.P.Prabu, learned counsel for six plaintiffs and Mr.B.Balachandar, learned counsel for all the defendants are before this Commercial Division.

3. Captioned application has been taken out by the defendants with a prayer for 'Condonation of Delay' ['COD'].

4. The delay sought to be condoned is 121 days in re-presenting leave to defend application filed vide Diary No.26463 of 2022. The reasons for delay have been set out in paragraph 5 of the support affidavit. Suffice to say that the first defendant in the suit passed away on 26.03.2022 and the legal heirs were held in the aftermath of unfortunate death.

5. It may not be necessary to dilate any further on facts or embark upon discussions as learned counsel for plaintiffs very fairly submits that he is not opposing the COD prayer.



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6. In the light of the narrative thus far, captioned application is ordered as prayed for. There shall be no order as to costs.

**29.09.2022
(1/2)**

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