



WEB COPY



C.M.P.No.11737 of 2022
in
S.A.Sr.No.35323 of 2020

P.T. ASHA, J.,

The above petition is for condoning the delay of 888 days in filing the appeal in the above Second Appeal.

2. Private notice sent to the first respondent has been served. Notice sent to the second respondent has been returned with an endorsement “Unclaimed”. It is also seen that intimation has been delivered on seven occasions to the addressee. Therefore, there is a deemed service on the second respondent.

2. In the affidavit filed in support of this petition, the petitioner would submit that he had entrusted the brief to an earlier counsel, but however did not take any steps to file the appeal and had also not informed him about the same. After engaging the present counsel, the appeal has been filed and a delay of 888 days had occurred.



WEB COPY



P.T.ASHA.J

srn

3. Considering the fact that the delay has not been properly explained, but however taking into account of the fact that the petitioner has a case to urge in the second appeal, the delay is condoned subject to the condition that the petitioner shall deposit a sum of Rs.2,000/- Rupees two thousand only) to the credit of Advocates Clerks Association, on or before 30.09.2022, failing which this order would automatically stands cancelled, without any further reference to this Court.

4. Post the matter on 11.10.2022 "for reporting compliance".

27.09.2022

srn

C.M.P.No.11737 of 2022
in
S.A.Sr.No.35323 of 2020