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A.No.3011 of 2022

in

C.S.No.915 of 2006

M.SUNDAR.J.,

Captioned main suit is a suit for accounts, there are other incidental and ancillary prayers.

2. Captioned main suit came to be dismissed by order dated 08.09.2009. Captioned application has been filed with a prayer to condone the delay in filing restoration application. Trajectory the captioned application has taken has been captured in the proceedings in the previous listing on 26.10.2022 and the same reads as follows:

'Read this in conjunction with and in continuation of earlier proceedings made in the previous listing on 14.10.2022.

2. Mr.V.Anil Kumar, learned counsel for plaintiffs, is before this Commercial Division.

3. A typed copy of the proceedings of the learned Master dated 12.10.2022 has since been placed before this Commercial Division and the same reads as follows:

*'Paper publication effected as ordered.
Deemed to be service completed through substituted mode.*

The names of the respondents are not printed in the cause list. Registry is directed to do.

As per the order of this Hon'ble Judge, list the



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matter before the Hon'ble Judge's Court on 13.10.2022.'

4. There are seven respondents but names of the seven respondents together with full/complete addresses as in the short and long cause titles are not shown in the cause list. Registry to do the needful in the next listing.

List day-after-tomorrow (Friday). List on 28.10.2022.'

3. Pursuant to aforementioned proceedings, names of the respondents in the captioned application along with their full/complete addresses as in the Judge's summons have been shown in the cause list but there is no representation.

4. Mr.V.Anil Kumar, learned counsel for applicants/plaintiffs, who is before this Commercial Division, advertng to paragraphs 6 and 7 of the support affidavit submits that reasons in favour of 'Condonation of Delay' ['COD'] prayer have been articulated therein and a perusal of the same reveals that it essentially turns on the main counsel in the *lis* being afflicted by 'Corona virus pandemic and consequent lock down' [hereinafter collectively 'Covid-19' for convenience].

5. As the respondents have not chosen to come before this Commercial Division to oppose the COD application in spite of multiple



opportunities being given, this Court after perusing the support affidavit being convinced that reasons are acceptable. Covid-19 situation is one which none could portend or presage. In any event, Hon'ble Supreme Court in *Suo Motu* Writ Petition (C) No.3 of 2020 had enlarged the limitation period across the Board and that was the period from 15.03.2020 to 28.02.2022.

Considering the aforesaid circumstances and in the light of the narrative thus far, captioned application is ordered as prayed for. There shall be no order as to costs.

28.10.2022

gpa



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gpa

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28.10.2022