



A.No.3523 of 2022
and
C.S.No.206 of 2019

C.V.KARTHIKEYAN, J.

This application has been filed to condone the delay of 640 days to set aside an ex-parte order in A.No.2255 of 2019.

2.The said order in A.No.2255 of 2019 dated 09.11.2022 is not an ex-parte order. The said order had been passed after giving several opportunities to the defendant who is the applicant in A.No.3523 of 2022, to file counter. Frustrated that the counter was not filed, that order dated 09.11.2022 came to be passed. In the same order, opportunity was granted to file counter. Counter has still not been filed. But however, a memo had been filed adopting the written statement as a counter. The order still holds.

3.It is complained by the learned counsel for the plaintiff that there is no compliance of the said order dated 09.11.2022.

4.In view of these particular facts, the present A.No.3523 of 2022 is otiose and the same need not be pursued any further and the same is closed.

5.List A.No.2255 of 2019 for hearing on 07.11.2022.

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27.10.2022
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