



WEB COPY



*A.No.4323 of 2022  
in C.S.No.46 of 2018*

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**in**

**C.S.No.46 of 2018**

**M.SUNDAR, J**

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

2. COD is pertaining to delay in re-presenting an application vide SR.No.16139 of 2022 which in turn has been filed qua statement of truth i.e., APPENDIX I of 'amended Code of Civil Procedure, 1908' [hereinafter 'amended CPC' for brevity and convenience] being 'CPC' ['Code of Civil Procedure, 1908'] as amended by the 'Commercial Courts Act, 2015 [Act 4 of 2016]' (hereinafter 'CCA' for brevity).

3. Ms.Madhupreetha Elango, learned counsel representing the counsel on record for plaintiff advertent to the support affidavit, more particularly paragraphs 5 and 6 submits that the delay was owing to a mess up in the office of the counsel. Mr.Vaibhav R.Venkatesh, learned counsel for defendants 1 to 3 fairly submits that he has no serious objection to the COD prayer. To be noted, fourth defendant has entered appearance through a counsel and name of the counsel has been shown in the cause list but there is no representation.



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kmi

4. Considering the facts and circumstances of the case, more particularly the nature of the suit, COD prayer is acceded to.

5. Captioned application is ordered as prayed for. There shall be no order as to costs.

**29.09.2022**

kmi

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