



WEB COPY

CMP.No.21119/2022 in AS.No.2



S.S.SUNDAR, J.,
and
A.A.NAKKIRAN, J.,

[Order of the Court was made by
S.S.SUNDAR, J.,]

This Civil Miscellaneous Petition is filed to condone the delay of 44 days in restoring the First Appeal in AS.No.299/2017 which was dismissed for non prosecution on 27.07.2022.

2.The learned counsel for the respondents states that the learned counsel has handed over papers to the respondents and therefore, he could not get instructions. He also admits that the respondents are aware of the proceedings. With regard to the fact that the delay is only 44 days and having convinced with the reasons stated in the affidavit filed in support of this miscellaneous petition, this Court is inclined to allow this petition.

3.Accordingly, this Civil Miscellaneous Petition is **ordered** and the delay of 44 days is hereby condoned.

[SSSRJ] [AANJ]

23.12.2022