



C.M.P.No.5609 of 2023
in
C.M.A.SR.No.942 of 2023

N.MALA, J.

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This Petition has been filed to condone the delay of 217 days in filing the above Civil Miscellaneous Appeal.

2. The learned counsel for the petitioner submits that the first respondent remained exparte before the Court below, therefore the notice to the first respondent may be dispensed with and he has also made an endorsement to that effect. Hence, notice to the first respondent is dispensed with.

3. Mr.D.Bhaskaran, the learned counsel takes notice for the second respondent and he fairly submits that he has no objection for the delay being condoned provided, the petitioner forfeits the interest for the delay period of 217 days.

4. In the light of the above submission made by the learned counsel for the second respondent, the delay of 217 days is condoned and the petition is accordingly ordered, on condition that the petitioner shall forfeit the interest for the delay period of 217 days.

5. Registry is directed to number the Civil Miscellaneous Appeal, if it is otherwise in order and post the same 'for admission' and print the name of Mr.D.Bhaskaran, in cause list at the time of admission.

6. Accordingly, this CMP is ordered.

jai

17.04.2023



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N.M.A.

jai

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