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CMP.No.4700 of 2023
and S.A.No.670 of 2009

C.M.P.No.4700 of 2023
in
S.A.No.670 of 2009

T.V.THAMILSELVI, J.

This Petition has been filed to condone the delay of 422 days in filing the restoration petition against the order dated 29.10.2021, passed in S.A.No.670 of 2009.

2. The learned counsel for the petitioner submitted that the appellant Counsel passed away and due to lack of communication there was a delay of 422 days in filing of restoration of Second Appeal. He further submitted that the delay is neither willful nor wanton. If the delay is not condoned and the appeal is not restored, petitioners will be put to great prejudice and irreparable loss.

3. On being satisfied with the averments stated in the affidavit filed in support of the petition and the submissions made by the learned counsel on

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either side, the delay of 422 days in filing application for restoration is
condoned.

4. Accordingly, this Civil Miscellaneous petition is allowed.

25.07.2023

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C.M.P.No.4700 of 2023
in
S.A.No.670 of 2009