



C.M.P.No. 4416 of 2023
in
A.S. SR. No. 108400 of 2022

T.V. THAMILSELVI, J.

This petition has been filed seeking to condone the delay of 106 days in representing the appeal suit in A.S.SR.No. 108400 of 2022.

2. Mr.D.Rajagopal, learned counsel for petitioner submitted that as against the judgment and decree passed in O.S.No.47 of 2021, the above appeal suit was filed and on 10.10.2022, it was returned to file printed copies of judgment. Then immediately, he informed to the trial court counsel and he has filed copy application for printed judgments. Accordingly, after complying the defects, the first appeal was represented on 03.02.2023. However, there is a delay of 106 days arose in representing the above appeal suit. He would submit that the said delay caused neither willful nor wanton, but for the above said reasons. Accordingly, he has filed the above petition.

3. Considering the facts and circumstances, and the reasons stated by the petitioner in the affidavit is justifiable one. Accordingly, this court is inclined to allow this petition and Registry is directed to number the Appeal Suit if it is otherwise found to be in order.

13.03.2023

rpp



WEB COPY



2

T.V.THAMILSELVI, J.

rpp

C.M.P.No. 4416 of 2023
in
A.S.SR.No. 108400 of 2022

13.13.2023