



C.M.P.No.15873 of 2016
in S.A.SR.No.6695 of 2010

N.SESHASAYEE, J.

The appellant had filed the above C.M.P.No.15873 of 2016 for setting aside the order of dismissal dated 11.07.2014 passed by this Court in S.A.SR.No.6695 of 2010 and restore the same for fresh disposal on merits.

2.The petitioner had filed M.P.No.1 of 2014 in S.A.SR.No.6695 of 2010 for condoning the delay in paying the deficit court fee and that was allowed on cost on 04.07.2014. According to the learned counsel for the appellant the cost was paid in time but the cost memo was not filed before the Registry in time. By virtue of our default clause in the order passed, the petition itself came to be dismissed. The appellant had taken out the present C.M.P.No.15873 of 2016 to restore the same.

3.This petition stands allowed.

4.The Registry is required to number the second appeal in S.A.SR.No.6695 of 2010, if the papers are otherwise in order.

30.06.2023

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N.SESHASAYEE, J.



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