



C.M.P.No. 7607 of 2023
in
A.S. SR. No. 91300 of 2019

T.V. THAMILSELVI, J.

This petition has been filed seeking to condone the delay of 945 days in representing the above appeal.

2. Mr.K.Marudhachalamurthy, learned counsel for petitioner submitted that the petitioner has filed the appeal on 19.07.2019, which was returned by the registry on 22.07.2019 for certain compliance. While so, he has given the bundle to lower court advocate for finding out required documents and for further correction, however, the bundle got mixed up with the other bundles and after tracing out the bundle and after making necessary corrections, he represented the appeal. However, there is a delay of 945 days arose in representing the above appeal and the said delay caused is 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 that the bundle was not traced out in time, which seems to be justifiable one. Accordingly, this court is inclined to allow this petition. Registry is directed to number the above Appeal if it is otherwise found to be in order and post the matter on 12.06.2023.

20.04.2023

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