



WEB COPY



C.M.P.No.6964 of 2023
in C.M.A.SR.No.32681 of 2023
N.MALA, J.,

This Petition has been filed to condone the delay of 1130 days in filing the appeal in C.M.A.SR.No.32681 of 2023.

2. The learned counsel for the petitioner submits that notice to the 1st respondent may be dispensed with as the 1st respondent remained ex-parte before the Court below and he has also made an endorsement to that effect.

3. In view of the submission made by the learned counsel for the petitioner, notice to the 1st respondent is dispensed with.

4. The learned counsel for the contesting second respondent has no serious objection for the delay being condoned, subject to the condition that the petitioner forfeits the interest for the delay period of 1130 days.

5. In view of the same, the delay of 1130 days is condoned and the petitioner shall not be entitled to interest for the delay period of 1130 days.

6. Registry is directed to number the Civil Miscellaneous Appeal, if it is otherwise in order and post the same 'for admission'.

7. Registry is further directed to print the name of the counsel for the second respondent at the time of admission.

24.04.2023

kkd