



A.No.1608 of 2023
in C.S.(Comm.Div.)No.126 of 2017

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S.SOUNTHAR, J.

The instant application has been filed by the first defendant in the suit, seeking to condone the delay of 1570 days in representing the written statement.

2. The learned counsel for the applicant/first defendant filed the additional affidavit dated 06.04.2023 in support of this application for condoning the delay as mentioned above.

3. In the affidavit filed in support of this application and also the additional affidavit, it is asserted by the applicant that the written statement was filed by him on 29.11.2017 and the same was returned from time to time. It is stated by the applicant that though the written statement along with the condone delay application was returned on 29.07.2018, the return was not complied within the time and due to the pandemic situation, the applicant was prevented from taking steps to rectify the defect and represent the returned papers.



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4. The present application for condone the delay in representation is not seriously objected by the learned counsel for the first respondent/plaintiff.

5. Having satisfied with the reasons assigned in the affidavit filed in support of this application, this Court is inclined to allow this application on condition that the applicant/ first defendant makes a payment of Rs.5000/- to the Chief Justice Relief Fund within two weeks from today.

10.04.2023

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