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CMP No.15244 of 2023 in
WA.No. SR 135571 of 2022

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THE HON'BLE CHIEF JUSTICE
and
P.D.AUDIKESAVALU, J.

(Order of the Court was made by the Hon'ble Chief Justice)

We have heard Mr.M.V.Swaroop, learned counsel for the applicant and Mr.Vaibhav R.Venkatesh, learned counsel for the non-applicant.

2. This is an application for condonation of delay of 146 days in representing the appeal.

3. The learned counsel for the non-applicant opposes the application on the ground that the certified copy of the order was ready by 18.11.2022. Eight months back, the certified copy was ready and still the same was not filed with the Court. No proper explanation is given.

4. According to the learned counsel for the applicant, the affidavit was misplaced and because of that, the delay was caused.



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5. It appears that the appeal was filed within the prescribed period of limitation. There is default in filing the certified copy and the affidavit. The connected appeal is already registered and it is on today's board (Sl.No.95-W.A.Nos.1961 and 1962 of 2022 and W.P.No.25882 of 2022)

6. It would be in the fitness of things to hear the appeal that is already registered and the present appeal.

7. Considering the reasons given, the delay is condoned. The application is allowed and disposed of.

(S.V.G., CJ.)

(P.D.A., J.)

18.07.2023

sra



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