



C.M.P. No. 11089 of 2023
in A.S.SR.No.43466 of 2023

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T.V. THAMILSELVI, J.

This petition has been filed seeking to condone the delay of 302 days in filing the above appeal.

2. Mr.N.Suresh, learned counsel for appellants submitted that as they are not parties to the suit, they came to know about the judgment and decree dated 23.12.2020 passed by the trial court only in the 2nd week of March 2023 and immediately, they applied for copy of judgment on 16.03.2023, which was delivered on 24.03.2023. Hence, the appeal was not filed in time. However, there is a delay of 302 days in filing the above appeal arose and the delay is neither willful nor negligent. Therefore, they have filed this petition to condone the delay in filing the above appeal.

3. Considering the facts and circumstances and the fact that the reasons stated by the petitioner in the affidavit is justifiable one, this court is inclined to allow this petition. Registry is directed to number the Appeal immediately if it is otherwise found to be in order and post the matter on 08.06.2023.

02.06.2023

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