



A.No.2568 of 2023 in Arb.O.P. DR. No.13096 of 2023

WEB C KRISHNAN RAMASAMY, J.

This Application has been filed by the applicant seeking to set aside the order dated 25.04.2023 passed by the learned Master in Application No.2478 of 2022 in Arb.O.P. D. No.13096 of 2023.

2.The learned counsel appearing for the applicant would submit that since the total delay in re-presenting was only 32 days, the learned Master had erroneously held that the affidavit is a false affidavit. Merely because there was a typographical error in the date mentioned in the affidavit, the learned Master ought not to have dismissed the above application filed for condoning the delay of 32 days in re-presenting the above O.P. D.No.13096 of 2023.

3.In view of the above submissions made by the learned counsel for the applicant, it is seen that the total delay in re-presenting was only 32 days and the learned Master could have provided an opportunity to the applicant to prove their case. Further, this Court is satisfied with the reasons stated in the affidavit filed in support of the application.



WEB COPY



KRISHNAN RAMASAMY, J.

vga

4. Accordingly, this application is allowed as prayed for and the order passed by the learned Master dated 25.04.2022 in Application No.2478 of 2023 in Arb.O.P.D.No.13096 of 2023 is set aside.

27.04.2023

vga

A.No.2568 of 2023 in Arb.O.P. DR. No.13096 of 2023