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A.No.4216 of 2023
in
C.S.No.68 of 2022
P.T. ASHA, J,

The above application is filed to restore the suit as against the 6th defendant and defendants D-12 to D-20.

2. The above suit had been dismissed against these defendants on account of the fact that the applicant/plaintiff had not taken steps to serve notice through substituted service mode to these defendants.

3. In the affidavit filed in support of the application, it is stated that on 06.04.2023, the applicant/plaintiff had prepared necessary applications for the substituted service and on that day the counsel could not appear before the learned Additional Master and the learned Additional Master had dismissed the suit for non-prosecution against these defendants. He would submit that the reasons for their non-appearance before the learned Additional Master on 06.04.2023 was only on account of the fact that the counsel on record was not well and down with fever.

4. Considering the fact that sufficient reasons have been given in the affidavit filed in support of the application, the application is allowed and the above suit is restored against the 6th defendant and defendants D-12 to D-20.



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5. The applicant shall file the application for taking substituted service through all three modes positively by 30.08.2023.

6. Post the matter on 30.08.2023.

23.08.2023

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