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C.M.P.No. 12191 of 2023
in
A.S. SR. No. 130375 of 2022

T.V. THAMILSELVI, J.

Challenging the judgment and decree passed in O.S.No.34 of 2014, the petitioner preferred an appeal, however there is a delay of 190 days in representing the above appeal arose. Hence, the present petition has been filed to condone the delay in representing the appeal.

2. Mr.B.Jawahar , learned counsel for petitioner submitted that the above appeal was filed on 22.11.2022 and the same was returned on 25.11.2022 for want of material papers. When the petitioner approached the trial court counsel to get the entire back bundle, he was informed that the bundle was mingled with old disposed bundles and hence, he required time to find out the bundle. During summer vacation, he traced out the bundle and handed over the same to him recently. However, there is a delay of 190 days arose in representing the above appeal and the said delay caused is neither willful nor wanton, but for the above said reasons. Accordingly, he has filed the above petition.



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3. Considering the facts and circumstances, and the reasons stated by the petitioner in the affidavit is justifiable one. Accordingly, this court is inclined to allow this petition. Registry is directed to number the above Appeal if it is otherwise found to be in order and post the matter on 20.06.2023.

15.06.2023

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