



WEB COPY



C.M.P. No. 12589 of 2023
in A.S.SR.No.130375 of 2022

C.M.P. No. 12589 of 2023
in
A.S.SR.No.130375 of 2022

T.V. THAMILSELVI, J.

This petition has been filed seeking to condone the delay of 130 days in filing the above appeal.

2. Mr.B.Jawhar, learned counsel for appellant submitted that the suit was decreed on 12.04.2022 and the copies were made ready on 26.04.2022. He would submit that the petitioner's trial court counsel informed him that he sent a letter to the counsel on record as soon as the judgment was pronounced, but unfortunately, the petitioner's counsel has not received any letter and it seems that the letter was misplaced during postal transit. Only during the 2nd week of November 2022, the petitioner went to his counsel office in person and came to know about the judgment. Thereafter, he engaged the present counsel on record and instructed him to file the present appeal. However, there is a delay of 130 days in filing the above appeal arose and the delay is neither willful nor negligent. Therefore, he filed this petition to condone the delay in filing the above appeal.



WEB COPY



C.M.P. No. 12589 of 2023
in A.S.SR.No.130375 of 2022

3. Considering the facts and circumstances and also considering the reasons assigned by the petitioner in the affidavit seems to be 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 27.06.2023.

20.06.2023

rpp



WEB COPY



C.M.P. No. 12589 of 2023
in A.S.SR.No.130375 of 2022

T.V.THAMILSELVI, J.

rpp

C.M.P.No. 12589 of 2023
in
A.S.SR. No. 130375 of 2022

20.06.2023