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**A.No.3028 of 2023 in**

**TOS.No.68 of 2013**

**R.N.MANJULA,J.**

The applicant is the plaintiff. This application has been filed to condone the delay of 86 days in re-presenting the application in SR.No.16513 of 2023.

2. The learned counsel for the plaintiff submitted that the above application involved in SR No.16513 of 2023 is the application filed to receive certain additional documents and it has been returned. He further submitted that due to the intervening summer vacation, there was a delay in re-presentation of the said application.

3. Since the recording of evidence is pending, the applicant ought to have re-presented the application filed by him to receive additional documents in time and avoided the delay. Since the delay caused by the applicant / plaintiff has caused hardship to the respondents / defendants, I feel this application should be allowed on payment of cost.

4. Accordingly, this application is allowed on condition that the applicant / plaintiff should pay a cost of Rs.1000/- to the respondents / defendants.



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**R.N.MANJULA,J.**

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5. The above condition complied forthwith by paying the cost.  
Hence, the application is allowed.

**19.06.2023**

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