



WEB COPY



C.M.P.No. 13207 of 2020
in
C.R.P. SR. No. 82822 of 2020

T.V. THAMILSELVI, J.

This petition has been filed seeking to condone the delay of 616 days in filing the Civil Revision Petition against the fair and final order passed in I.A.No.540 of 2017 in O.S.No.214 of 2015 on the file of Sub Court, Udumalpet dated 20.03.2018.

2. The petitioner filed an affidavit in which, he has stated that his counsel filed an application for issuance of the certified copy of the fair and final order on 21.11.2019. The Copies were made ready on 20.12.2019 and his counsel received on the same day. The same was communicated to him and he had received the papers only in 4th week of February 2020. He was in great difficulty in mobilizing funds for expenses and Advocate Fees to file the above revision immediately, because, he spent huge amount for the medical expenses for his wife since 2011 onwards. In the said circumstances, he has received notice from the Sub Court in EP.No.117 of 2019. Immediately, he mobilized funds from his relatives and sent the papers to his counsel on 29.02.2022 and his counsel filed the above revision before this Court on 02.03.2020. However, there is a delay of 616 days arose in filing the above C.R.P. which is neither willful nor wanton.



3. Considering the facts and circumstances, and the reasons stated by the petitioner in the supporting affidavit, this court is inclined to allow this petition on imposing cost.

4. Accordingly, delay is condoned and this petition is allowed on condition that the petitioner has to pay a sum of Rs.3000/- as costs to the respondent within a period of two weeks from the date of receipt of a copy of this Order and on such payment of costs, the Registry is directed to number the Civil Revision Petition if it is otherwise found to be in order.

21.03.2023

Vv



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Vv

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