



C.M.P.No.547 of 2022
in
C.M.A.SR.No.107854 of 2019

N.MALA.J.

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This Petition has been filed to condone the delay of 317 days in filing the above Civil Miscellaneous Appeal.

2.The learned counsel for the petitioner submits that R-1 remained ex-parte before the Court below and therefore his presence may be dispensed with and an endorsement to that effect has been made in the petition.

3.Mr.K.Vinod, the learned counsel takes notice on behalf of R-2.

4.The learned counsel for the second respondent submits that he has no objection to the delay of 317 days being condoned on condition that the petitioner shall not be entitled for any interest for the delay period of 317 days.

5.I have gone through the affidavit filed in support of the petition and I am satisfied with the reasons stated therein, therefore, the delay of 317 days is condoned, on condition that petitioner shall not be entitle to interest for the delay period of 317 days.

6.Registry is directed to number the Civil Miscellaneous Appeal, if it is otherwise in order and post the same for admission.

7. Registry is further directed to print the name of the respondents at the time of admission.

Accordingly, this CMP is ordered.

23.03.2023

dsn



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N.MALA.J.,

dsn

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