



WEB COPY

A.No.1315 of 2023

in C.S (COMM DIV) No.115 of 2021

S.SOUNTHAR, J.

This application is filed seeking to condone the delay of 29 days in filing the written statement in C.S.(Comm Div).No.115 of 2021. According to the applicant, the summon was served on the applicant/defendant on 20.12.2021 and it was further stated in the affidavit that the Proprietor of the defendant concern, due to business activity, had been travelling to overseas countries between 25.12.2021 to 01.02.2022 and hence, there was a delay of 29 days in filing the written statement in the above suit.

2. The respondent has not filed any counter controverting the averments found in the affidavit in support of the application.

3. Being satisfied with the reasons stated in the affidavit filed in support of this petition, the delay is condoned, however, on condition that the applicant shall pay a sum of Rs.5,000/- (Rupees five thousand only) to the Chief Justice Relief Fund on or before 20.03.2023, failing which, the application shall stand automatically dismissed.



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4. Accordingly, this petition is ordered.

06.03.2023

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