



C.M.P.No.19699 of 2022 in W.A.SR No.116191 of 2022

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THE HON'BLE ACTING CHIEF JUSTICE

and

D.BHARATHA CHAKRAVARTHY, J.

(Order of the Court was made by The Hon'ble Acting Chief Justice)

This civil miscellaneous petition has been filed by M/s Tower Vision India Private Limited represented by its authorised signatory Mr.RM.Nagappan seeking to condone the delay of 202 days in filing the appeal papers.

2. Learned counsel appearing for the petitioner submitted that pursuant to the impugned order dated 16.04.2021, the petitioner's counsel had forwarded the copies to the legal department of the petitioner company in Chennai. But due to inadvertence, the legal department again forwarded the copies to the legal department at New Delhi. Since the post of Head (Legal) was vacant, the petitioner was unable to take a decision to proceed further and the legal wing at Chennai also remained vacant and there was no one to co-ordinate with the external counsel, as the normalcy was not restored. In view of the above, the delay of 202 days had occurred, which is neither wilful nor wanton, but only due to the above bona fide reasons.



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Therefore, the delay is required to be condoned.

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3. Heard the learned Standing Counsel appearing for the first respondent and the learned State Government Pleader appearing for the second respondent also.

4. Finding merits on the submissions made by the learned counsel appearing for the petitioner and finding no serious objection from the side of the respondents 1 & 2, the delay shall stand condoned subject to payment of Rs.3,000/- (Rupees three thousand only) by the petitioner to the Madras High Court Advocates Clerks Welfare Association, Chennai within a period of two weeks time. Subject to the above compliance, the civil miscellaneous petition is ordered accordingly.

(T.R.,A.C.J.) (D.B.C.,J.)

29.03.2023

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