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CMP.No.21162 of 2022
in CRP SR.No.126371 of 2022

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T.V.THAMILSELVI, J.

This Petition has been filed to condone the delay of 1103 days in filing the above CRP.SR.No.126371 of 2022.

2. The learned counsel for the petitioner submitted that the lower Court counsel died, so there is lack of communication to proceed with the matter. He further submitted that the delay is neither willful nor wanton. If the delay is not condoned the petitioner will be put to great prejudice and irreparable loss.

3. The learned counsel for the respondent stating that with an intention to drag on the proceedings the petitioner has purposely filed this revision petition. The suit was filed in the year 2013 for recovery of money. Before the trial Court, the petitioner has not filed written statement and as he set as ex-parte. Hence he raised strong objection and prays to dismiss the petition with costs.



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4. Heard the learned counsel for the petitioner and the learned counsel for the respondent.

5. On being satisfied with the averments stated in the affidavit filed in support of the petition and the submissions made by the learned counsel on either sides, the petitioner is directed to pay a sum of Rs.5,000/-(Rupees Five thousand only) to the learned counsel for the respondent, within a period of two weeks from today and on such payment the delay of 1103 days in filing the above CRP.SR.No.126371 of 2022 is condoned.

6. Accordingly, this Civil Miscellaneous petition is allowed.

7. Registry is directed to list the above Civil Revision Petition after numbering the same, if they are otherwise in order.

06.11.2023

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