



A.No.5473 of 2022
in C.S.No.44 of 2020

WEB COPY

K.KUMARESH BABU,J.

This Application has been filed to condone the delay of 339 days in preferring an appeal against the order of the learned Master.

2.Learned counsel for the respondent would vehemently contend that the conduct of the applicant would have to be looked into. He would submit that pursuant to the judgment and decree, the applicants have been writing letters to the respondent indicating that they would make payment as decreed by this Court, even during the pendency of the application. He would submit that applicants have been taking time to settle the matter. The learned counsel would report that there is no possibility of settlement. Therefore, he would submit that the application for the delay is without any merits and is liable to be dismissed.

3.But, however, on going through the averments in the affidavit, it is noted that the delay that has been caused have been explained as such the delay was caused in filing the application for obtaining the certified copy of the order and which had been alleged to have been caused by the earlier



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counsel. Hence, considering the said averment, the delay of of 339 days in preferring an appeal against the order of the learned Master is condoned.

4.Registry is directed to number the appeal against the order of the learned Master and list the same before this Court on 17.04.2023.

13.04.2023

Gba

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