



A.Nos.6077 to 6080 of 2023

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in O.P.No.424 of 2010

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N.SATHISH KUMAR, J.

These applications have been filed as against the Common Order of the learned Master dated 19.10.2023 passed in A.Nos.2411, 2413, 2414 & 2054 of 2023, dismissing the applications, filed to condone the delay in representing the review application, which was taken against the order and judgment passed in O.P.No.424 of 2010 dated 11.07.2016.

2. The delay in representing the review application, which was originally returned, was due to the reason that the clerk has misplaced the papers and therefore, there was a delay.

3. The learned counsel for the applicant mainly submitted that the review application was filed in the year 2021 and immediately, thereafter, the COVID pandemic was on and the limitation is extended till 28.02.2022 by the Hon'ble Supreme Court. Therefore, the application could not be represented. It is the contention that the petitioner has appeared before the Court and filed a counter, taking the valid defence and the same has not been brought to the notice of the Court while passing the order, however, the Court proceeded as if that none appeared in the Original Petition and no counter is filed. Hence, it is



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the contention that opportunity should be given by condoning the delay in representing the review petition and he also demonstrated how the review application is maintainable.

4. Heard both sides and perused the materials placed on record. At this stage, this Court is of the view that the merit of the case may not be discussed, the issue is relating to the delay of representation in review application. Condoning the delay in representation is always the discretion of the Court. Though objection is made in the counter, this Court is of the view that considering the delay in representing the application has occurred due to COVID pandemic situation, this Court, in order to give fair opportunity to the parties to agitate their rights on merits, is inclined to condone the delay of 450 in representation of the review application.

5. Accordingly, the Common Order impugned herein, passed by the learned Master is set aside and the delay of 450 days in representing the review application is hereby condoned. Accordingly, these applications are ordered.

13.12.2023

dhk

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