



WEB COPY



A.No.6209 of 2023
in C.S.No.236 of 2021

N.Sathish Kumar, J.

This application has been filed seeking to condone the delay of 790 days in filing the written statement of defendants 4, 5 and 6.

2. The reasons assigned in the affidavit filed in support of this application is to the effect that though summons was received on 29.07.2021, since the office was in the process of passing proceedings in respect of arrears and pensionary benefits of the plaintiff till 05.09.2022. Thereafter, papers have been mixed with other records, Therefore, it could not be processed. Hence, there was a delay.

3. At the very outset, the reasons assigned in the affidavit is not convincing, the fact that department is aware of the plaintiff's case and proceeding were taken against him; and pensionary benefits also authorised on 05.09.2022. Now, it cannot be said that papers were not traceable.



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4. Though on this ground, this application deserves to be dismissed, however, considering the nature of the suit and in order to give a fair opportunity to the defendants to agitate and contest the suit on merits, this Court is inclined to allow the application, subject to the payment of cost of Rs.10,000/- payable to the Adyar Cancer Institute, Chennai on or before 09.01.2024.

5. Post on 09.01.2024, for compliance.

18.12.2023

dhk

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