



C.M.P.Nos.878 & 879 of 2019 in
W.A.SR.Nos.107562 & 107563 of 2018

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THE HON'BLE CHIEF JUSTICE
and
D.BHARATHA CHAKRAVARTHY, J.

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

Heard Mr.R.Shunmugasundaram, learned Advocate General, assisted by Mrs.R.Anitha, learned Special Government Pleader for the applicant, Mr.P.Ravishankar Rao, learned counsel for the first respondent in C.M.P.No.879 of 2019, Mr.C.Mohan, learned counsel for M/s.King and Patridge for the first respondent in C.M.P.No.878 of 2019 and Mr.ARL.Sundaresan, learned Additional Solicitor General assisted by Mr.Ashwin Shenbag, learned counsel for the second respondent.

2. These applications are filed to condone the delay of 550 days in filing the appeals.

3. Learned Advocate General submits that the delay is not only



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due to administrative reasons, but also as old documents were involved, time was lost in searching and getting those old documents. The documents are of the year 1953. They were in the record section. Time was lost in search of the same.

4. Learned Additional Solicitor General and learned counsel for the first respondents in the respective applications opposed these applications on the ground that no sufficient cause is mentioned.

5. We have considered the submissions and we have also gone through the reasons mentioned in the accompanying affidavit.

6. It is trite that if the technical considerations and cause for substantial justice are pitted against each other, the cause for substantial justice has to be subserved. The affidavits accompanying the applications state that the old documents were of the year 1953-54 and they were to be searched in the record section of different offices and for the said reason, the delay has been caused.



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7. For the reasons stated in the applications, the delay of 550 days in filing the appeals is condoned. Accordingly, the applications stand allowed and are disposed of.

8. Registry is directed to print the names of Mr.P.Ravishankar Rao, learned counsel and Mr.C.Mohan, learned counsel for M/s.King and Patridge for the first respondents in the respective appeals.

(S.V.G., CJ.) (D.B.C.,J.)
17.11.2023

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