



C.M.P.No.3505 of 2024

C.M.P.No.3505 of 2024
in
A.S.S.R.No.61834 of 2023
(Filing Number)

M.SUNDAR, J.,
and
K.GOVINDARAJAN THILAKAVADI, J.,

[Order of the Court was made by M.SUNDAR. J]

Captioned 'Civil Miscellaneous Petition' ['CMP' for the sake of brevity] has been filed with a 'Condonation of Delay' ['CoD' for the sake of brevity] prayer qua 257 days delay in payment of deficit Court fee in the captioned appeal.

2. Mr.B.Jawahar, learned counsel on record for petitioner / appellant, adverting to paragraph Nos.6 to 8 of support affidavit submits that there was difficulty in getting Court fee stamps and vacation intervened.

3. Mr.K.R.Ramesh Kumar, learned counsel, who has lodged caveat on behalf of respondent accepts notice for respondent submits that the petitioner should be more diligent.

M.SUNDAR, J.,



WEB COPY



C.M.P.No.3505 of 2024

and
K.GOVINDARAJAN THILAKAVADI, J.,

mk

4. We carefully considered the rival submissions.

5 Considering the facts and circumstances of the case, nature of the matter and manner in which parties are circumstanced, we deem it appropriate to condone the delay in payment of deficit Court fee with a rider that all the rights and contentions of the respondent are preserved for raising the point for limitation, if it is available either in CoD application qua main appeal or in main appeal as the case may be.

Delay condoned subject to aforementioned rider. Captioned CMP ordered in the aforesaid manner. There shall be no order as to costs.

[M.S., J] [K.G.T., J]
16.02.2024

mk

C.M.P.No.3505 of 2024
in
A.S.S.R.No.61834 of 2023
(Filing Number)