



WEB COPY



C.M.P.Nos.6376 & 6379 of 2024

C.M.P.Nos.6376 & 6379 of 2024
in
Appeal(CAD)Nos.34190 & 19420 of 2024

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

[Order of the Court was made by
K.GOVINDARAJAN THILAKAVADI, J.,]

Captioned main appeals have been filed against orders dated 09.11.2023 made in C.O.S.No.18 of 2022 and C.O.S.No.19 of 2022 by the the Commercial Court, Salem.

2. Captioned 'C.M.P.Nos.6376 & 6379 of 2024' {hereinafter 'CMPs' for the sake of brevity} have been filed to condone the delay of 62 days and 35 days respectively in preferring the above appeals.

3. In the support affidavits, it is submitted that due to ill health of the petitioner, he was unable to travel all the way to Chennai for the purpose of filing the appeals. Hence the delay, which is neither willful nor wanton.

4. Mr.K.Koteswara Rao, learned counsel on record for appellant reiterated the same and submits that if the delay is not condoned, the petitioner will be put to irreparable loss and hardship and therefore, prays for condonation of said delays.



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5. Issue notice to respondent.

6. Ms.G.Janaki, learned counsel of M/s.KNS Law Chamber (Law Firm) accepts notice for sole respondent.

7. Learned counsel for respondent would submit that the reason attributed in the support affidavits is not sufficient to condone the said delay.

8. Heard both sides and records perused.

9. Keeping in view the submissions made by learned counsel for appellant and in the interest of justice and considering the facts and circumstances of the case, we are inclined to condone the delay in filing the appeals.

10. Accordingly, both the CMPs are allowed and delay of 62 days and 35 days in filing the above appeals is condoned. Registry is directed to number the said appeals, if they are otherwise in order.

[M.S., J]

[K.G.T., J]

01.08.2024

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