



WEB COPY

C.M.P.No.6811 of 2024

in

S.A.No.1138 of 2013



N.SENTHILKUMAR, J.

The above miscellaneous petition has been filed to set aside the order dated 13.03.2024 passed in the above S.A.No.1138 of 2013 and re-admit the above appeal and permit the petitioners/appellants to put forth their arguments on merits.

2. The learned counsel for the respondent vehemently objects that the learned counsel for the appellants has not conducted the case on several occasions, and this Court, while dismissing the second appeal for non-prosecution, recorded the same.

3. Even though the second appeal was dismissed for non-prosecution, the right of the appellants has to be heard.

4. This Court is convinced with the reasons stated in the affidavit filed in support of this miscellaneous petition.

5. Hence, this miscellaneous petition is **ordered**.

6. Registry is directed to post the matter on **15.10.2024**.

19.09.2024

cda