



C.M.P.No.24949 of 2023 in O.S.A.SR.No.46831 of 2023

S.S.SUNDAR, J.

and

K.RAJASEKAR, J.

(Order of the Court was made by S.S.SUNDAR, J.)

The petitioner has filed this petition to condone the delay of 369 days in filing the appeal, as against the order passed by the learned single Judge of this Court dated 11.03.2021 in Application No.8989 of 2019 in E.A. No.8334 of 2018 in E.P.D.No.36475 of 2018, confirming the order of learned Master ordering arrest of the petitioner under Order XXI, Rule 41(3) of Civil Procedure Code.

2. Having regard to the nature of order and the scope of appeal, this Court is of the view that the bona fides of the petitioner in prosecuting the appeal cannot be doubted. In the affidavit filed in support of the petition, the petitioner has given reasons to the satisfaction of the Court. Even though there is a general denial in the counter affidavit, this Court is unable to discard the tangible reasons. When there are reasons, this Court will not dismiss the petition merely because the delay is inordinate. Hence, being satisfied with the reasons, this petition is ordered.

(S.S.S.R.,J.) (K.R.S.,J.)
27.08.2024

SS



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K.RAJASEKAR, J.

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