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A.Nos.3375 and 3376 of 2024 in C.S.No.604 of 2014

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in C.S.No.604 of 2014**

P.B.BALAJI, J.

Applications are taken out for condoning the delay of 656 days in A.No.3375 of 2024 and 402 days in A.No.3376 of 2024.

2. It is the case of the applicant in A.No.3375 of 2024 that the suit summons were not served on him and the written statement has been filed on 23.09.2016. Therefore, the applicant seeks for condonation of delay in order to avoid any technical objection at a later stage.

3. Insofar as the applicant/2nd defendant in A.No.3376 of 2024 is concerned, he is now at Malaysia and suit summons have not been served on him. Despite taking such stand, the applicant has filed his written statement in the year 2016.



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sr

4. Since his specific case is that the suit summons have not been served, though the learned counsel for the plaintiff has objections in condoning the delay, considering the reasons for delay as stated in the affidavit, filed in support of the applications, I am not inclined to accede to the request of the respondent/plaintiff for grant any further time to file a counter. I am satisfied that the Applicants have shown sufficient cause.

5. In fine, the delay is condoned and both the applications are allowed.

For filing draft issues, post on 19.07.2024.

11.07.2024

sr

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