



**A. Nos.2291 and 2292 of 2024
in
C.S. (Comm. Div.) No.17 of 2024**

WEB COPY

ABDUL QUDDHOSE.J.,

A. No.2291 of 2024 has been filed by the first defendant seeking to set aside the *ex-parte* order dated 08.04.2024 passed by this Court setting the first defendant *ex-parte*.

2. A. No.2292 of 2024 has been filed by the second defendant seeking to set aside the *ex-parte* order dated 08.04.2024 passed by this Court setting the second defendant *ex-parte*.

3. Counter affidavit has been filed by the plaintiff only in respect of A. No.2291 of 2024 . No counter has been filed by the plaintiff in so far as A. No.2292 of 2024 is concerned.

4. The learned counsel for the plaintiff has also not raised any serious objection for allowing A. No.2292 of 2024 filed by the second defendant. He has raised objection only with regard to A. No.2291 of 2024 as he would submit that no sufficient cause has been shown by the first defendant for getting an order to set aside the *ex-parte* order dated 08.04.2024 passed against the first defendant.



WEB COPY



ABDUL QUDDHOSE.J.,

ab

5. However, this Court, after giving due consideration to the contents of the affidavit filed in support of A. No.2291 of 2024 wherein the first defendant has stated that the first defendant was attempting to settle the dispute with the plaintiff and only on that ground there was a delay in entering appearance, is a justifiable reason for not entering appearance on the specified date. Since sufficient cause has been shown by the applicant in A. No.2291 of 2024, this Court will have to necessarily allow A. No.2291 of 2024.

6. Since the respondent / plaintiff has not raised any serious objection for allowing A. No.2292 of 2024 and this Court is also satisfied with the reasons contained in the affidavit filed in support of A. No.2291 of 2024, the said applications will also have to be allowed.

7. Accordingly, both A. Nos.2291 and 2292 of 2024 are allowed as prayed for.

13.11.2024

ab

**A. Nos.2291 and 2292 of 2024
in
C.S. (Comm. Div.) No.17 of 2024**



WEB COPY



(1/2)