



A.No.2826 of 2024 in
C.S.No.614 of 2013

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P.VELMURUGAN, J.

The above application filed by the first defendant to condone the delay of 140 days in filing the application to set aside the ex parte decree dated 06.08.2019 in C.S.No.614 of 2013 was allowed on 26.06.2024 on the condition that the first defendant shall pay Rs. 50,000/- as cost to the credit of the Chief Justice Relief Fund on or before 18.07.2024. The matter was directed to be listed under the caption "for reporting compliance".

2. Today, when the matter was taken up for hearing, it was represented that the order of this court dated 26.06.2024 has not been complied with. Furthermore, the applicant has also filed a memo expressing the intent to file an appeal, but no appeal has been filed challenging the said order dated 26.06.2024.

3. The failure to comply with the court's conditional order and the absence of any substantive steps to contest it demonstrate a lack of diligence and promptness on the part of the first defendant. Since the conditional order passed by this court dated 26.06.2024 has not been complied with, and no appeal has been filed to challenge the said order despite the expressed intent to do so, this application is dismissed.

30.07.2024

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