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C.M.P.No.19664 of 2023

C.M.P.No.19664 of 2023
in
S.A.SR.No.118564 of 2021

P.T.ASHA, J.,

The petition in C.M.P.No.19664 of 2023 is filed to condone the delay of 172 days in filing the above second appeal.

2. The judgment of the Lower Appellate Court would indicate that the appellants had given up the respondents 2 to 5 even before the Lower Appellate Court and therefore, the appeal in A.S.No.5 of 2016 was dismissed as against the respondents 2 to 5. Now, the contesting respondent is only the 6th respondent who is represented by a counsel before this Court.

3. Considering the fact that even before the Lower Appellate Court, the petitioners/appellants had given up their claim against the respondents 2 to 5, notice is not necessary against the respondents 2 to 5. The learned counsel appearing for the only contesting respondent i.e., 6th respondent has no serious objection in allowing this petition.



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4. Being satisfied with the reasons stated in the affidavit filed in support of this petition, this petition is allowed and the delay of 172 days in filing the above appeal in S.A.SR.No.118564 of 2021 is condoned. The Registry is directed to number the appeal, if it is otherwise in order and print the name of Mr.T.Gnana Banu, learned counsel for the 6th respondent when the matter is listed for admission.

27.02.2024

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