



WEB COPY



C.M.P.No.3191 of 2024
in S.A.No.1225 of 2011

G.ARUL MURUGAN, J.

This Civil Miscellaneous Petition is filed to restore the Second Appeal, which was dismissed for non-prosecution on 01.06.2023.

There was a delay of 69 days in filing the restoration petition vide C.M.P.No.22654 of 2023 and, this Court, by an order, dated 30.01.2024, allowed the said Civil Miscellaneous Petition and condoned the delay.

Heard the learned counsel for the parties.

It is stated in the affidavit filed in support of the petition that when the Second Appeal was listed for hearing on 01.06.2023, the previous counsel did not appear and hence the Second Appeal was dismissed for non-prosecution, and that now the present counsel has entered appearance by way of change of vakalat.

Respondents have no serious objection for this petition being allowed.

In such view of the matter, this Civil Miscellaneous Petition is allowed and the Second Appeal is restored.

Registry is directed to list the Second Appeal for hearing after three weeks.

dixit

20-02-2024