



A.No.4864 of 2024
and C.S(COMM.DIV.)No.167 of 2023

K.KUMARESH BABU, J.

This Miscellaneous Application has been filed to condone the delay of 348 days in filing an application to set aside the ex-parte order dated 22.09.2023 made in C.S(COMM.DIV.)No.167 of 2023.

2. Heard the learned counsels appearing on either side.

3. Considering the averments made in the accompanying affidavit filed in support of this Application and having being satisfied with the same, the present application is ordered as prayed for, the delay is condoned.

4. It is submitted by the learned counsels appearing on either side that a suit in C.S.(COMM.DIV.)No.610 of 2018 is pending and also indicated that the mediation that has been going on between the parties also covers the prayer in this suit and hence, they would seek this Court to tag the said suit along with this suit. It is further submitted by the learned counsels that further progress in the mediation stands posted on 18.10.2024. Considering that the issue between the parties have been settled and what remains is only signing before the Mediator. The Mediator is requested to proceed the mediation process de hors to set aside the *ex-parte* decree and report the settlement to this Court on or before 22.10.2024.

5. Registry is directed to number the application to set aside the *ex-parte* order on which the delay is condoned. List the matter on 23.10.2024.



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14.10.2024