



C.M.P.No.29262 of 2023
in
A.S.S.R.No.159570 of 2023

P.T.ASHA, J.

This petition is filed to condone the delay of 144 days in filing the above First Appeal.

2. It is seen that the private notice sent to the 3rd respondent has been returned with an endorsement "*Addressee cannot be located*".

3. It is also seen that the notice which has been issued through Court has been returned with the endorsement "*not known*" and it is seen that on six dates the postman has gone to the address and made enquiry.

4. A perusal of decree would indicate that the 3rd respondent had remained ex parte.

5. All the other respondents have been served.

6. Heard the counsel on either side.



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7. The learned counsel for the 1st respondent has vehemently argued and opposed the above petition.

8. Considering the fact that the sufficient reasons have been given in the affidavit filed in support of this petition, this petition is ordered as prayed for.

9. The Registry is directed to number the appeal, if it is otherwise in order and list the same for admission.

12.04.2024**shr**



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P.T.ASHA.J

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