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C.M.P.No.23221 of 2024
in S.A.No.1319 of 2009

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J.SATHYA NARAYANA PRASAD, J.

This civil miscellaneous petition has been filed to set aside the order of dismissal dated 28.10.2021 passed by this Court in S.A.No.1319 of 2009 and thereby restore the above appeal on the file of this Court.

2. Learned counsel appearing for the respondents raised strong objection, stating that in CRP proceedings he obtained an order to dispose of the final decree application expeditiously. The appellant came to know that, purposely allowed the second appeal as default, with an intention to drag on the proceedings.

3. Having regard to the facts that the petitioner has given plausible reasons and this Court is of the considered view that this petition is ordered on condition that the petitioner shall pay a sum of Rs.3,000/- [Rupees Three Thousand Only] to the learned counsel for the respondents directly on or before 10.02.2025. Failing which, the above civil miscellaneous petition stands dismissed automatically without any further reference to this Court.



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4. Post the matter on **18.02.2025**.

cda

24.01.2025

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