



CMP.No.6910 of 2025 in CRP SR.No.27395 of 2025

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N.SATHISH KUMAR, J.

This petition has been filed to condone the delay of 770 days in preferring the the present revision.

2. The reasons for the delay assigned in the affidavit filed along with the petition is that originally the petitioner filed an application for leave to defend the suit and the said application has been dismissed by the trial Court on 14.10.2022. But the petitioner was not informed about the dismissal of the said application by his counsel. The petitioner came to know about the dismissal of the application through the bank, who had received notice from the trial Court as a Garnishee. Only after enquiry he was informed that the counsel who appeared for the petitioner before the trial Court had expired long back. Therefore, the delay had occurred and the same is neither willful nor wanton. If the delay is not condoned, the petitioner who had no privity of contract with the first respondent/plaintiff will be liable to pay the suit amount and he would be put to irreparable loss.

3. Despite notice to the respondents, none appeared for the respondents.



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4. The main contention of the learned counsel for the petitioner is that there is no contract or any agreement between the petitioner and first respondent and he had not received the unsold stock alleged to be returned by the first respondent and he is having valid defence in the suit.

5. Considering the submissions of the learned counsel appearing for the petitioner, though the delay is huge, in order to give fair opportunity to the petitioner to agitate his case on merits, this Court is inclined to extend liberal approach to condone the delay.

6. Accordingly, this petition is Ordered and the delay is condoned.

05.06.2025

vrc

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