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**A. No.3721 of 2024  
in  
C.S. No.166 of 2007**

**ABDUL QUDDHOSE.J.,**

The matter is listed before me for the third time. Till date, counter has not been filed in A. No.3721 of 2024. The learned counsel appearing for the respondents seeks further time to file counter. This application has been filed, seeking to condone the delay of 2098 days in filing the application, seeking to restore the suit, which was dismissed as withdrawn on 28.03.2018. Since counter has not been filed in this condone delay application, this Court is allowing this application without prejudice to the rights and contentions of the respondents with regard to the delay, while this Court decides the application filed by the plaintiff, seeking to restore the suit which was dismissed as withdrawn. In the aforementioned terms, A. No.3721 of 2024 is allowed.

2. Registry is directed to number the application filed by the plaintiff seeking to restore the suit which was dismissed as withdrawn on 28.03.2018. However, it is made clear that A. No.3721 of 2024 is allowed



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without prejudice to the rights and contentions of the respondents with regard to the delay while this Court decides the application filed by the plaintiff, seeking to restore the suit which was dismissed as withdrawn on 28.03.2018.

03.01.2025

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