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C.M.P.(MD) No. 13078 of 2025 in
C.M.A.(MD)SR.No.59460 of 2025

R.POORNIMA.,J.

This Petition is filed to condone the delay of 133 days in filing the above Civil Miscellaneous Second Appeal.

2.Heard the learned counsel appearing for the petitioner and perused the materials placed before this Court.

3. The counsel for the appellant submitted that the 5th respondent, who is a driver of the vehicle already set ex parte before the trial Court and hence, he is not an necessary party in this appeal and prayed to dispense with the notice to the 5th respondent. Recording the same, notice to the 5th respondent is dispensed with.

4. The learned counsel appearing for the respondents 1 to 4 has no objection to allow this petition.

5. In view of the no objection expressed by the learned counsel for the first respondent and for the reasons stated in the accompanying affidavit filed in support of the Petition and on being satisfied with the same, this Petition is allowed and the delay is condoned.



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6. Registry is directed to number the Civil Miscellaneous Appeal, if it is otherwise in order and list it for admission in the usual course.

13.11.2025

trp