



WEB COPY

A No. 6103 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-01-2026

CORAM

THE HON'BLE MR.JUSTICE P. DHANABAL

**A No. 6103 of 2025 in
O.P.No.272 of 2019**

Sanjay Dhurka
S/o.Late Mr.B.K.Dhurka, Flat No.1,
Approva Apartments, Old Door No.3,
New No.7, Plot No.69, Maharani Chinnambal
Road, Pithapuram Nagar, Alwarpet,
Chennai-600 018.

..Applicant(s)

Vs

1. Gits Devi Dhurka
W/o.Late B.K.Dhurka, Flat No.1,
Apoorva Apartments, Old Door No.3,
New No.7, Plot No.69, Maharani Chinnambal
Road, Pithapuram Nagar, Alwarpet,
Chennai-600 018.

2. Sanjana Jaipuria
Flat No.1, Apoorva Apartments, Old Door
No.3, New No.7, Plot no.69, Maharani
Chinnambal Road, Pithapuram Nagar,
Alwarpet, Chennai-600 018.

..Respondent(s)

Prayer:

Application filed under Order XIV rule 8 of O.S.Rules r/w Amended Section 5 Limitation Act, 1963 to condone the delay of 575 days in filing the Application to set aside the order dated 08/11/2023 in the present Original petition which was dismissed for non prosecution of Applicant in the present O.P.



For Applicant(s):
For Respondent(s):

Mr.K.Rajul
Mr.S.Pushpakaran for R1 and R2

ORDER

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This application has been filed applicant / petitioner to condone the delay of 575 days in filing the application to set aside the order dated 08.11.2023 in the Original Petition, which was dismissed for non prosecution of the applicant.

2. According to the applicant, due to his non-appearance, the Original Petition was dismissed for non-prosecution.

3. On the other side, the learned counsel appearing for the respondents has no serious objection in allowing the application.

4. Heard the learned counsel on both sides and perused the documents placed on record.

5. Considering the reasons stated in the affidavit filed in support of the application and the facts and circumstances of the case and also to afford one more opportunity to the applicant, this application is allowed and the delay of 575 days in filing the application to set aside the order dated 08.11.2023 in the Original Petition is condoned.

05-01-2026

Note: Registry is directed to number the application, if it is otherwise in order

ssd



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P.DHANABAL, J.

ssd

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