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C.M.P. No.23488 of 2025
in
C.M.A. Sr. No.108681 of 2025

K.GOVINDARAJAN THILAKAVADI, J.

This petition has been filed to condone the delay of 95 days in filing the above Civil Miscellaneous Appeal.

2.The learned counsel appearing for the petitioners submitted that in A.S.No.19 of 2017, the summons were not served on the petitioners and therefore, they were unable to participate in the appeal proceedings. He further submitted that there is a delay in obtaining and submitting the copies of the I.A.Nos.5 and 6 of 2024 in A.S.No.19 of 2017. He also submitted that due to family circumstances, daily vending commitments, and limited means and education, a delay of 95 days occurred in filing the above petition.

3.A perusal of the counter affidavit filed by the respondents reveals that the present CMA has been filed along with CRP SR.108682 of 2025, as both arise out of a common order passed in the condone delay petition filed under Order 41 Rule 21 of CPC.

4.Considering the facts and circumstances of the case, this Court is inclined to allow the above said petition. Accordingly, this petition is ordered.

5. The Registry is directed to number C.M.A.Sr.No.108681 of 2025, if it is otherwise in order, and list the same in the usual course.

07.01.2026

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