



*CMP No.1356 of 2024 in
SA Sr No.141245 of 2023*

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S.SOUNTHAR, J.

This petition has been filed to condone the delay of 442 days in filing the second appeal.

2. Heard the learned counsel for the petitioner and the learned counsel for the respondents and perused the affidavit filed in support of the petition.

3. According to the petitioner, Judgment in the first appeal was delivered on 04.03.2020 and he could not contact his counsel immediately, due to Covid lock down. It is further stated by the petitioner that due to the lock down, he was forced to move out of his home town and during shifting, he misplaced the case bundle. After reconstruction of the bundle, the petitioner applied for certified copy of judgment and decree and the same were delivered on 11.09.2023 and in such circumstances, the instant second appeal has been filed on 31.10.2023.

4. Having regard to the timing of the judgment delivered by the first appellate court and also the other reasons assigned by the petitioner in the affidavit filed in support of the petition, this court is inclined to condone the delay of 442 days in filing the second appeal.

5. Accordingly, this petition is allowed. Registry is directed to number the second appeal, if it is otherwise in order and list the same for admission.

08.04.2026

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