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CMP.(MD)Nos.16312 & 16661 of 2025
in
SA.(MD)Nos.113 & 239 of 2008

M.JOTHIRAMAN, J.

Heard the learned counsel on either side.

2.The learned counsel appearing for the petitioners would submit that the appeals were dismissed for non-prosecution, on 08.09.2023, since the erstwhile learned counsel did not appear in this case. The petitioners are senior citizen and suffering from several ailments and they were unable to contact their erstwhile learned counsel.

3.The learned counsel appearing for the respondents would submit that the suit is of the year 1992. only in order to prolong the issue, they have wantonly failed to contact their erstwhile learned counsel and the appeals were dismissed for default. The reasons stated in the affidavit filed in support of these petition, are not acceptable and therefore, he prays to dismiss these petitions.



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4.This Court has considered the submissions made on either side and perused the records carefully.

5.Considering the reasons stated in the affidavit filed in support of these petitions and in order to decided the issue between the parties, this Court is inclined to condone the delay. Accordingly, these civil miscellaneous petitions are allowed and the delay is condoned. Registry is directed to number the petition, if it is otherwise in order.

30.03.2026

gns



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