

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

&

THE HONOURABLE MR.JUSTICE K.HARILAL

MONDAY, THE 7TH DAY OF SEPTEMBER 2015/16TH BHADRA, 1937

MACA.No. 152 of 2005 ()

AGAINST THE AWARD IN OPMV 1481/1998 of ADDL.D.C. & ADDL.MACT, THALASSERY
DATED 18-10-2003

APPELLANT/CLAIMANT:

P.P.SAMIR, S/O. ABDUL KAREEM,
AGED 22 YEARS, RESIDING IN SALIM MANZIL
P.O. MATTOOL NORTH, KANNUR DISTRICT.

BY ADV. SRI.M.RAMESH CHANDER

RESPONDENT/RESPONDENTS:

1. PRAVEEN KUMAR, S/O. BHASKARAN,
AGED 23 YEARS, DRIVER, CHATHODATH HOUSE
P.O. KURICHIYIL, VIA. PARIMADAM.

2. P.SHANMUGHAN, S/O. DAMODARAN,
BUS OPERATOR, "SARAD", KURICHIYIL P.O.
THALASSERY.

3. THE BRANCH MANAGER,
UNITED INDIA INSURANCE CO. LTD., KANNUR.

R,R3 BY ADV. SRI.PMM.NAJEEB KHAN

THIS MOTOR ACCIDENT CLAIMS APPEAL HAVING BEEN FINALLY HEARD ON
07-09-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

P.R. RAMACHANDRA MENON

&

K. HARILAL, JJ.

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M.A.C.A No. 152 of 2005

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Dated, this the 7th day of September, 2015

JUDGMENT

Ramachandra Menon, J.

This appeal has been preferred by the appellant against the verdict passed by the Tribunal on 18.10.2003 in O.P.(MV) No. 1481 of 1998.

2. The course and proceedings pursued by the claimant were deprecated by the Tribunal, to the effect that a false claim was raised by the appellant, causing loss to the State Exchequer. A cost of Rs.500/- was sought to be imposed upon him, which is stated as satisfied. Despite the pendency of the matter more than a decade, the defect stands yet to be cured. On 29.08.2013, one week's time was granted to cure the defect, on condition that Rs.500/- was remitted to the Kerala State Mediation and Conciliation Centre, which is stated as satisfied.

3. The learned counsel for the appellant submits that in spite of sending intimation to the appellant, he has not turned up so far.

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In the said circumstances, there is no other alternative but to dismiss the matter for non prosecution. It is ordered accordingly.

sd/-

**P. R. RAMACHANDRA MENON,
JUDGE**

sd/-

**K. HARILAL,
JUDGE**

kmd

/True copy/

P.A. to Judge