

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON
&
THE HONOURABLE MR.JUSTICE K.HARILAL

FRIDAY, THE 11TH DAY OF SEPTEMBER 2015/20TH BHADRA, 1937

MACA.No. 184 of 2005 ()

AGAINST THE AWARD IN OPMV 363/2001 of M.A.C.T., IRINJALAKUDA
DATED 28-06-2004

APPELLANT/PETITIONER::

SMT.MARY, W/O.DEVASSY,
RESIDING AT PAZHAYA PARAMBIL HOUSE, POYYA P.O.
VIA. MALA, THRISSUR DISTRICT.

BY ADVS.T.C.SURESH MENON
SRI.SREEKANTH.K.R

RESPONDENT (S) /RESPONDENTS::

1. P.C.THOMAS, S/O.CHEEKU,
PALLIYIL HOUSE, ANNAMANADA, P.O. KUMBIDI,
POOVATHUSSERY, THRISSUR DISTRICT.

2. THE NEW INDIA ASSURANCE COMPANY LTD.,
BRANCH OFFICE, VELLANIKKARA BUILDING, MAIN ROAD,
IRINJALAKUDA, THRISSUR DISTRICT.

THIS MOTOR ACCIDENT CLAIMS APPEAL HAVING BEEN FINALLY
HEARD ON 11-09-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

OKB

P.R. RAMACHANDRA MENON & K. HARILAL, JJ.

M.A.C.A.No.184 of 2005

Dated this the 11th day of September, 2015.

JUDGMENT

Ramachandra Menon, J.

This is an appeal preferred against the award dated 28.6.2004 passed by the Motor Accidents Claims Tribunal, Irinjalakuda. The matter was admitted on 17.2.2005. But no process charges were remitted and hence no notice was issued. Defect was noted by the Registry and the matter was listed before the Registrar (Judicial) on 24.7.2008. Two weeks' time was sought for curing the defect, which was granted. As no steps were taken, it was caused to be posted before the Bench.

2. When the matter came up for consideration before the Bench on 27.2.2015, the name of Adv. T.C.Suresh Menon (from the office of the then counsel for the appellant), was ordered to be shown in the cause list. No steps were taken. The matter came up

again before the Bench on 2.3.2015, when it was reported that Adv.K.R.Sreekanth, who was appearing for the appellant earlier, is no more. Time was sought for to cure the defect and three weeks' time was granted in this regard. When the matter came up again before this Bench on 8.9.2015, it was adjourned and hence stands posted today. Position continues to be the same. No process charges have been remitted so far. This appeal is dismissed for non-prosecution.

Sd/-

P.R. RAMACHANDRA MENON, JUDGE

Sd/-

K. HARILAL, JUDGE

okb.