

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

&

THE HONOURABLE MR.JUSTICE K.HARILAL

TUESDAY, THE 1ST DAY OF SEPTEMBER 2015/10TH BHADRA, 1937

MACA.No. 801 of 2009 ( )

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AGAINST THE AWARD IN OPMV 1929/2003 of M.A.C.T.,PERUMBAVOOR  
DATED 28-05-2008

APPELLANTS/PETITIONERS:

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1. AISHA BEEVI, W/O.ABDULKAREEM,  
KADAVIL HOUSE, VELLARAPPILLY, THEKKUMBHAGAM KARA,  
THEKKUMBHAGAM VILLAGE, ALUVA TALUK.

2. MUHAMMED ANWAR, W/O.ABDULKAREEM,  
KADAVIL HOUSE, VELLARAPPILLY, THEKKUMBHAGAM KARA,  
THEKKUMBHAGAM VILLAGE, ALUVA TALUK.

3. MUHAMMED ABDUL RAHMAN, S/O.ABDULKAREEM,  
KADAVIL HOUSE, VELLARAPPILLY, THEKKUMBHAGAM KARA  
THEKKUMBHAGAM VILLAGE, ALUVA TALUK.

4. HALIMATH SAHADIYA, D/O.ABDULKAREEM,  
KADAVIL HOUSE, VELLARAPPILLY, THEKKUMBHAGAM KARA,  
THEKKUMBHAGAM VILLAGE, ALUVA TALUK.  
REP. BY HER NEXT FRIEND & MOTHER AISHA BEEVI,  
W/O.ABDULKAREEM, AGED 43 YEARS, DO. DO.

5. MUHAMMED HASHIM, S/O.ABDULKAREEM,  
KADAVIL HOUSE, VELLARAPPILLY, THEKKUMBHAGAM KARA,  
THEKKUMBHAGAM VILLAGE, ALUVA TALUK,  
REP. BY HER NEXT FRIEND & MOTHER AISHA BEEVI,  
W/O.ABDULKAREEM, AGED 43 YEARS, DO. DO.

6. FATHIMA, W/O.KOCHUPILLAI,  
KADAVIL HOUSE, VELLARAPPILLY, THEKKUMBHAGAM KARA,  
THEKKUMBHAGAM VILLAGE, ALUVA TALUK.

BY ADV. SRI.P.V.ELIAS

RESPONDENT (S) /RESPONDENTS:

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1. ABDUL JABBAR, S/O.BAVA,  
ATTUVAIPPIL HOUSE, VAYALKARA KARA, KUNNUKARA POST,  
KUNNUKARA VILLAGE.

2. P.K.MUHAMMED NIZARA,  
S/O.P.P.KUNJU KOCHU, PUNNERKODE HOUSE,  
THOTTAKKATTUKARA POST, ALUVA-8.

3. NATIONAL INSURANCE CO. LTD.,  
BRANCH OFFICE, ALUVA.

R3 BY ADV. SRI.GEORGE CHERIAN (THIRUVALLA)  
R,R1 BY ADV. SRI.DINESH MATHEW J.MURICKEN

THIS MOTOR ACCIDENT CLAIMS APPEAL HAVING BEEN FINALLY  
HEARD ON 01-09-2015, THE COURT ON THE SAME DAY DELIVERED THE  
FOLLOWING:

OKB

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

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M.A.C.A.No.801 of 2009  
and  
C.M.Appl. No.912 of 2009  
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Dated this the 1<sup>st</sup> day of September, 2015.

JUDGMENT

Ramachandra Menon, J.

This appeal arises from the award dated 28.5.2008 passed by the Motor Accidents Claims Tribunal, Perumbavoor, in O.P.(M.V.) No.1929/2003. Notice was ordered in the petition to condone the delay in filing the appeal and the same stands still to be condoned. When the matter was taken up for consideration on 31.8.2015, there was no representation from the part of the appellants and the petition was adjourned to this date. Today as well the position is not different and there is nobody to represent the appellants. It appears that the appellants have lost interest in the cause of action. The C.M. Application and the appeal are dismissed for non-prosecution.

P.R. RAMACHANDRA MENON, JUDGE

K. HARILAL, JUDGE

okb.