

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

FRIDAY, THE 16TH DAY OF OCTOBER 2015/24TH ASWINA, 1937

OP (MAC).No. 126 of 2015 (O)

AGAINST THE ORDER/JUDGMENT IN OPMV 403/2010 of M.A.C.T.,ERNAKULAM

PETITIONER(S):

SANISH SATHYAN.T., AGED 24 YEARS
S/O.SATHYAN.T., THOTTAPARAMBIL HOUSE,
IRIMPANAM (PO) TRIPUNITHURA.

BY ADV. SRI.K.R.SUNIL

RESPONDENT(S):

1. M.N.YESODHARA DEVI,
W/O.G.R.JAGAL KISHORE, PADIYATH HOUSE,
VADAKARA P.O., THALAYOLAPARAMBU, VAIKOM - 686 141.
2. REJIMON, S/O.KUNJUKUTTY, AGED 28
CHAMAKKALAYIL VEEDU, KONGANADURKARA,
AYERKUNNAM VILLAGE, KOTTAYAM - 686 001.
3. NATIONAL INSURANCE COMPANY LTD.,
TRIPUNITHURA, REPRESENTED BY ITS BRANCH MANAGER - 682 301.

R3 BY SRI.M.A.GEORGE, STANDING COUNSEL FOR NATIONAL INSURANCE.

THIS OP (MAC) HAVING COME UP FOR ADMISSION ON 16-10-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX IN OP (MAC) No.126 OF 2015

PETITIONER(S) EXHIBITS

- EXHIBIT P1 : TRUE COPY OF THE DISABILITY CERTIFICATE ISSUED BY THE SUPERINTENDENT, GOVERNMENT MEDICAL COLLEGE HOSPITAL, KOTTAYAM.
- EXHIBIT P2 : TRUE COPY OF THE INTERLOCUTORY APPLICATION NO.6811/2012 ON 29.8.2013
- EXHIBIT P3 : TRUE COPY OF THE OBJECTION FILED BY THE RESPONDENT - INSURANCE COMPANY.
- EXHIBIT P4 : TRUE COPY OF THE ORDER DATED 24.9.2014
- EXHIBIT P5 : TRUE COPY OF THE INTERLOCUTORY APPLICATION NO.8986/2014 FILED AS EARLY AS ON 15.11.2014
- EXHIBIT P6 : TRUE COPY OF THE INTERLOCUTORY APPLICATION NO.8987/2014 FILED AS EARLY AS ON 15.11.2014
- EXHIBIT P7 : TRUE COPY OF THE PETITIONER'S PHOTOGRAPHS.
- EXHIBIT P8 : TRUE COPY OF THE PETITIONER'S PHOTOGRAPHS.

RESPONDENT(S) EXHIBITS

NIL.

//TRUE COPY//

P.S. TO JUDGE.

V.CHITAMBARESH, J.

O.P (MAC) No.126 of 2015

Dated this the 16th day of October, 2015

J U D G M E N T

The petitioner confines his relief to an early consideration of Exts.P5 and P6 applications. The same are filed to restore I.A.No.6811/2012 after condoning the delay. I.A.No.6811/2012 was filed to amend OP (MV) No.403/2010. The petitioner seeks to enhance the compensation by way of amendment.

2. I direct the Motor Accidents Claims Tribunal, Ernakulam to dispose of Exts.P5 and P6 applications. The same shall be done within a period of one month from today. Every endeavour should be made to have a disposal of the application for amendment on merits. This will curtail the protraction of the proceedings before the Tribunal.

3. The Tribunal should also endeavour to dispose of the claim petition itself. The same was filed as early as in the year 2010 and 5 years have elapsed now. The claimant is young and the injuries are serious. The Tribunal shall bestow its attention in dealing with the matter.

The Original Petition is disposed of.

Sd/-
V.CHITAMBARESH,
Judge.

nj/16.10.15