

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.B.SURESH KUMAR

MONDAY, THE 23RD DAY OF MARCH 2015/2ND CHAITHRA, 1937

RP.No. 289 of 2015 () IN MACA.2471/2013

AGAINST THE JUDGMENT IN MACA NO.2471/2013 of HIGH COURT OF KERALA DATED 5.2.2015
REVIEW PETITIONER/THIRD RESPONDENT IN MACA :

THE ORIENTAL INSURANCE COMPANY LTD, JASEELA COMPLEX,
BYPASS JUNCTION, NILAMBUR ROAD, MANJERI, MALAPPURAM DIST - 676 121,
REP. BY THE AUTHORISED SIGNATORY, REGIONAL OFFICE,
NORTH RAILWAY STATION ROAD, KOCHI - 682 018.

BY ADV. SRI.M.JACOB MURICKAN

RESPONDENTS/APPELLANT/RESPONDENTS 1 & 2 IN MACA :

1. IBRAHIMKUTTY, S/O.BOERANKUTTY,
MUKKOLI HOUSE, KEEZHAPARAMBA P.O.,
MALAPPURAM DISTRICT - 673 639.
2. T.K.MOHAMMED ASHRAF, S/O.ABU,
THEKKUMKOLTH HOUSE, CHEEKODE P.O.,
MALAPPURAM DISTRICT, PIN 673 645.
3. M.H.NIYAS, 279, KARYATH HOUSE,
KOZHAKATTUR NORTH P.O., ARECODE,
MALAPPURAM DISTRICT 673 639.

R1 BY ADV.SRI.P.VENUGOPAL

THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON 23-03-2015, THE
COURT ON THE SAME DAY PASSED THE FOLLOWING:

P.B.SURESH KUMAR, J.

Review Petition No.289 of 2015

in

M.A.C.A. No.2471 of 2013

Dated 23rd March, 2015.

O R D E R

The third respondent in the appeal has preferred this Review Petition seeking mainly to clarify the judgment in so far as it affects their interest.

2. Having heard the learned counsel appearing for the parties, the Review Petition is disposed as follows:

(i) It is clarified that the appellant/claimant will not be entitled to claim interest for the enhanced compensation awarded, for the period of delay of 309 days in filing the appeal, as ordered in C.M.Application No.3069 of 2013.

(ii) It is also clarified that the third respondent/review petitioner will be entitled to recover from the owner of the vehicle, the enhanced compensation granted to the appellant.

Sd/-

P.B.SURESH KUMAR, JUDGE.

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(true copy)