

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.B.SURESH KUMAR

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

RP.No. 737 of 2015 () IN MACA.762/2011  
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AGAINST THE ORDER/JUDGMENT IN MACA 762/2011 of HIGH COURT OF KERALA  
DATED 09-06-2015

REVIEW PETITIONER(S) / (APPELLANT IN THE (M.A.C.A.) :  
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BABU VARGHESE  
VALAYIL HOUSE, ATTUCHIRA, KUTTAPPUZHA  
THIRUVALLA.

BY ADV. SRI.C.K.SASI

RESPONDENT(S) / (RESPONDENT IN MACA) :  
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1. THE ORIENTAL INSURANCE COMPANY LTD  
DIVISIONAL OFFICE, KOTTAYAM.

2. SUNNY. P  
PUNNASSERRIKUNNAL HOUSE, NAMLUKNNAKKAL P.O.  
VAKATHANAM, KOTTAYAM.

3. SINOJ VARGHESE  
MALAYIL VEEDU, PUTHEN CHANTHA, VAKATHANAM.

R1 BY SRI.VPK.PANICKER

THIS REVIEW PETITION HAVING BEEN FINALLY HEARD ON  
07-09-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

vgs

**P.B.SURESH KUMAR, J.**

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**R.P.No.737 of 2015**

**in**

**M.A.C.A.No.762 of 2011**

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**Dated this the 7<sup>th</sup> day of September, 2015**

**ORDER**

Heard the learned counsel for the review petitioner.

2. The petitioner seeks review of the order passed by this Court in C.M.Appln.No.1213 of 2011 in M.A.C.A.No.762 of 2011. The review petitioner was the appellant in the said appeal. C.M.Appln.No.1213 of 2011 was an application filed by him seeking orders to condone the delay of 1360 days in filing the appeal. I have found that the review petitioner has not shown sufficient cause for

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the long delay of 1360 days in filing the appeal. I have also found that there is no merit in the contentions raised by the review petitioner to assail the award impugned in the appeal.

3. The learned counsel for the review petitioner submitted that a medical certificate has been produced along with the review petition and that the order sought to be reviewed was passed without referring to the medical certificate. As noticed above, C.M.Appln.No.1213 of 2011 was dismissed having regard to the merits of the contentions raised by the appellant to assail the award impugned in the appeal also. In the said circumstances, it cannot be said that the order on C.M.Appln.No.1213 of 2011 is vitiated by errors apparent on the face of record solely for the reason that the medical certificate produced by the appellant was not referred to in the order passed therein.

in

M.A.C.A.No.762 of 2011

The review petition, in the circumstances, lacks merits and the same is, accordingly, dismissed.

**P.B.SURESH KUMAR, JUDGE.**

smm