

C.M.P.No.12630 of 2016 in
C.M.A. No.SR53839 of 2016

T.RAJA, J.

The Insurance Company has suffered the impugned award dated 18.12.2015 made in M.C.O.P. No.927 of 2014 on the file of the Motor Accidents Claims Tribunal, (II Additional District Judge), Poonamallee, awarding a sum of Rs.28,20,900/- as against the claim of Rs.35,00,000/- for the loss of life of the bread winner of the claimants' family.

2.It is seen that the deceased was working as a Teacher in a Government School and earning a sum of Rs.34,000/- per month. Aggrieved by the quantum of compensation, the Insurance Company has proposed to file the appeal. But in the meanwhile, there is a delay of 54 days in filing the appeal.

3.Learned counsel appearing for the petitioner would submit that after the award was passed by the learned II Additional District Judge, Poonamallee, the Insurance Company has applied for the certified copy and after receiving the papers, they had approached the Appeal Committee for getting proper legal opinion to file appeal. In this process, the delay of 54 days had occurred, which is neither willful nor wanton and therefore, the delay may be condoned.

4.Learned counsel appearing for the claimants has no objection in allowing this petition.

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5. In view of no objection raised on the side of the claimants in allowing this petition, this Court, is inclined to allow this petition.

6. Accordingly, the delay of 54 days in filing the appeal is condoned and this petition is allowed.

15.11.2016

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