

C.M.P.No.15304 of 2016 in C.M.A.No.SR99448 of 2015T.RAJA, J.

Aggrieved by the award passed by the Motor Accident Claims Tribunal (V Judge, Court of Small Causes), Chennai in M.C.O.P.No.5572 of 2011 dated 5.9.2014 awarding a compensation of Rs.50,000/-, as against the claim of Rs.2,00,000/-, with interest at the rate of 7.5% per annum from the date of petition till the date of deposit within two months from the date of the order, for the injuries sustained by the petitioner/claimant, she has proposed to file the appeal for enhancement of compensation. In the meanwhile, a delay of 362 days in filing the appeal has occurred. Therefore the present petition has been filed to condone the aforementioned delay.

2. The Tribunal, after considering the evidence of one Dr.N.Saichandran, who was examined as P.W.2, admitting during cross examination that he has not given any treatment to the claimant and he assessed the disability after the expiry of 3 ½ years from the date of the accident and also keeping in mind that the discharge summary, Ex.P2 showed no evidence of fracture, has chosen to award a compensation of Rs.50,000/-. A perusal of the award on merits also does not impel the Court to entertain the appeal. Therefore this Court, finding no sufficient cause to condone the huge delay of 362 days in filing the appeal, is not inclined to entertain the petition. Accordingly, C.M.P.No.15304 of 2016 is dismissed. C.M.A.No.SR99448 of 2015 stands rejected.

30.09.2016

T.RAJA, J.

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