

C.M.P.No.18602 of 2016 in
C.M.A. No.SR67181 of 2016

T.RAJA, J.

This petition has been filed to condone the delay of 93 days in filing the un-numbered appeal against the impugned award dated 19.06.2015 made in M.C.O.P. No.8 of 2014 on the file of the Motor Accidents Claims Tribunal, Mannargudi.

2.Learned counsel appearing for the petitioner would submit that after the impugned award passed on 19.06.2015, the same was delivered on 23.05.2016. Thereafter the same was placed before the appeal committee for getting approval. After complying all the administrative formalities, the papers were forwarded with the office of the counsel. In this process, the aforementioned delay of 93 days had occurred. According to the petitioner, since the said delay was neither willful nor wanton, no prejudice would be caused if it is condoned.

3.This Court is not able to see any merit or any sufficient cause to condone the delay. As it is well settled law that everyday's delay has to be explained and no such explanation has been given in the present case, this

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petition fails and the same is dismissed. Consequently, CMA No.SR 67181/2016 stands rejected.

4.The petitioner/Transport Corporation is directed to deposit the entire award amount to the credit of M.C.O.P. No.8 of 2014 on the file of the Motor Accidents Claims Tribunal, Mannargudi, within a period of four weeks from the date of receipt of a copy of this order, failing which, the interest payable would become 10% p.a. for the delayed period. On such deposit, the claimant is permitted to withdraw the amount, by filing appropriate application before the Tribunal.

29.11.2016

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