



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Thursday, the Twenty Eighth day of June Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CMP(MD) No.10365 of 2017

IN

CMA(MD) No.SR7774 of 2017

SUSAIAMMAL

... PETITIONER/APPELLANT

Vs

1 SHANTHILAL GANGJI KIMSARIYA

2 THE NEW INDIA ASSURANCE CO.LTD,
NOTI, RAHAL, 6TH FLOOR, JAWSHADJI LATE ROAD,
CHARACHAGATE, MUMBAI-20. ... RESPONDENTS/RESPONDENTS

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to condone the delay of 1363 days in filing the above Civil Miscellaneous Appeal.

PRAYER IN CMA(MD) No.SR7774 of 2017:

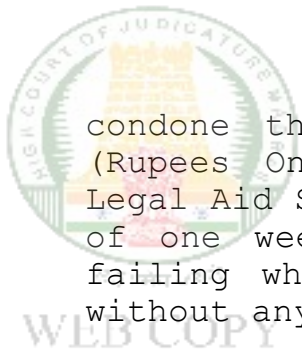
to allow the appeal and enhance the award amount in M.C.O.P.No.520 of 2002 on the file of the Motor Accident Claims Tribunal, (3rd Additional District and Sessions Judge), Tirunelveli, dated 28.02.2013

ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.T.SELVAKUMARAN, Advocate for the petitioner and the court made the following order:-

This petition has been filed to condone the delay of 1363 days in filing the above civil miscellaneous appeal in C.M.A.(MD) No.SR7774 of 2017.

2. When the matter came up for hearing today, the learned Counsel appearing for the petitioner/appellant would submit that the petitioner/appellant shall not claim interest for the delayed period in the event of enhancement by this Court.

3. In view of the said submission and also considering the reasons stated in the affidavit filed in support of the petition as well as considering the length of delay, this Court is inclined to



condone the delay, subject to the payment of cost of Rs.1000/- (Rupees One Thousand only) to "Legal Aid Infrastructure Funds", Legal Aid Service Authority, attached to this Bench, within a period of one week from the date of receipt of a copy of this order, failing which, this petition shall stand dismissed automatically, without any further reference to this Court.

4. This petition is accordingly ordered.

sd/-
28/06/2018

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

THE 3RD ADDITIONAL DISTRICT AND SESSIONS JUDGE,
MOTOR ACCIDENT CLAIMS TRIBUNAL, TIRUNELVELI

Copy to:

THE AUTHORIZED OFFICER,
LEGAL AID SERVICE AUTHORITY,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

ORDER
IN
CMP(MD) No.10365 of 2017
IN
CMA(MD) No.SR7774 of 2017
Date :28/06/2018

SMA/PMI/ASVM/03.07.2018:2P/3C