



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

Monday, the Twentieth day of August Two Thousand Eighteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CMP (MD) No.3781 of 2018

IN

CMA (MD) No.SR2744 of 2018

NEW INDIA ASSURANCE COMPANY LIMITED,
REP. BY ITS BRANCH MANAGER,
DOOR.NO.105, RAILWAY STATION ROAD,
THIRUPATHUR, VELUR DISTRICT

... PETITIONER/APELLANT

Vs

1 PARVEEN BANU
2 JASMINE BANU
3 INAYATHULLAH
4 SARAVANAN
5 MARIYAM BEEVI
6 MINOR MOHAMMED IBRAHIM

... RESPONDENTS/RESPONDENTS

(Minor is represented through his mother
and natural guardian Mariyam Beevi, the
5th Respondent herein.)

Petition praying that in the circumstances stated therein
and in the affidavit filed therewith the High Court will be pleased
to condone the delay of 302 days in filing the above Civil
Miscellaneous Appeal against the award passed in MCOP No.4 of 2011
dated 7.11.2016 on the file of the Motor Accident Claims Tribunal,
Sub Court Devakottai and thus render justice.

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.D.SIVARAMAN, Advocate for the petitioner and of
MR.S.M.SANJAY, Advocate for R1, R2, R5 & R6, and of R3 & R4 nor
appeared either in person or by an Advocae, the court made the
following order:-

This petition is filed to condone the delay of 302 days in
filing the above said Civil Miscellaneous Appeal.

2.The learned counsel appearing for the petitioner submitted
that appellant is challenging only quantum of compensation awarded
to the claimants. He further submitted that the respondents 3 & 4
are only formal parties.



3. In view of the same, notice to the respondents 3 & 4 is dispensed with. The sixth respondent minor represented by fifth respondent.

4. Heard the learned counsel appearing for the respondents 1, 2, 5 & 6.

5. Considering the contention of the learned counsel for the petitioner, the delay of 302 days is condoned on payment of cost of Rs.500/- (Rupees Five Hundred only) to the Rojavanam, Homeless & Aged Care Centre, Melur Road, Uthangudi, Madurai, 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 further reference to this Court.

sd/-
20/08/2018

/ TRUE COPY /

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

TO

THE MOTOR ACCIDENT CLAIMS TRIBUNAL,
SUB COURT, DEVAKOTTAI

COPY TO : THE OFFICER-IN-CHARGE,
THE ROJAVANAM, HOMELESS & AGESCATTE CENTRE,
MELUR ROAD, UTHANGUDI, MADURAI.

ORDER
IN
CMP(MD) No.3781 of 2018
IN
CMA(MD) No.SR2744 of 2018
Date :20/08/2018

PK/VR/SAR-1/29.08.2018 : 2P/3C