

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.01.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

C.M.P.No.7704 of 2018
and
C.M.A.SR.No.20258 of 2018

Minor Deepika

.. Petitioner

Vs.

1. R.Dharmalingam

2. New India Assurance Company Ltd.
Sri Vari Shopping Mall,
Near ARRS, Meyyanur,
Salem – 636 004.

.. Respondents

PRAYER: C.M.P.No.7704 of 2018 is filed under Section 173(1) of the Motor Vehicles Act, to condone the delay of 977 days in filing the above appeal.

C.M.A.SR.No.20258 of 2018 is filed under Section 173 of the Motor Vehicles Act, 1988, against the judgment and decree dated 13.03.2015 made in M.C.O.P.No.1016 of 2012 on the file of the Motor Accidents Claims Tribunal-cum-Special Sub Court - II, Salem.

For Petitioner : Mr.A.Nagarathinam

ORDER

C.M.P.No.7704 of 2018 is filed to condone the delay of 977 days in filing the above appeal.

C.M.A.SR.No.20258 of 2018 is filed against the judgment and decree dated 13.03.2015 made in M.C.O.P.No.1016 of 2012 on the file of the Motor Accidents Claims Tribunal-cum-Special Sub Court-II, Salem.

2.Heard the learned counsel appearing for the petitioner and perused the materials available on record.

3.According to the petitioner, the award was passed on 13.03.2015. The petitioner was suffering from chicken quinoa for several months during the year 2016 and subsequently, he was suffering from jaundice for some months during 2017. He could not meet his counsel to file appeal in time and hence delay of 977 days has occurred in filing the appeal. The reasons given by the petitioner for condoning the delay of 977 days in filing the appeal

are not valid and sufficient. In view of the same, this Court is not inclined to condone the delay. Accordingly, C.M.P.No.7704 of 2018 stands dismissed and consequently, C.M.A.SR.No.20258 of 2018 is rejected. No costs.

28.01.2019

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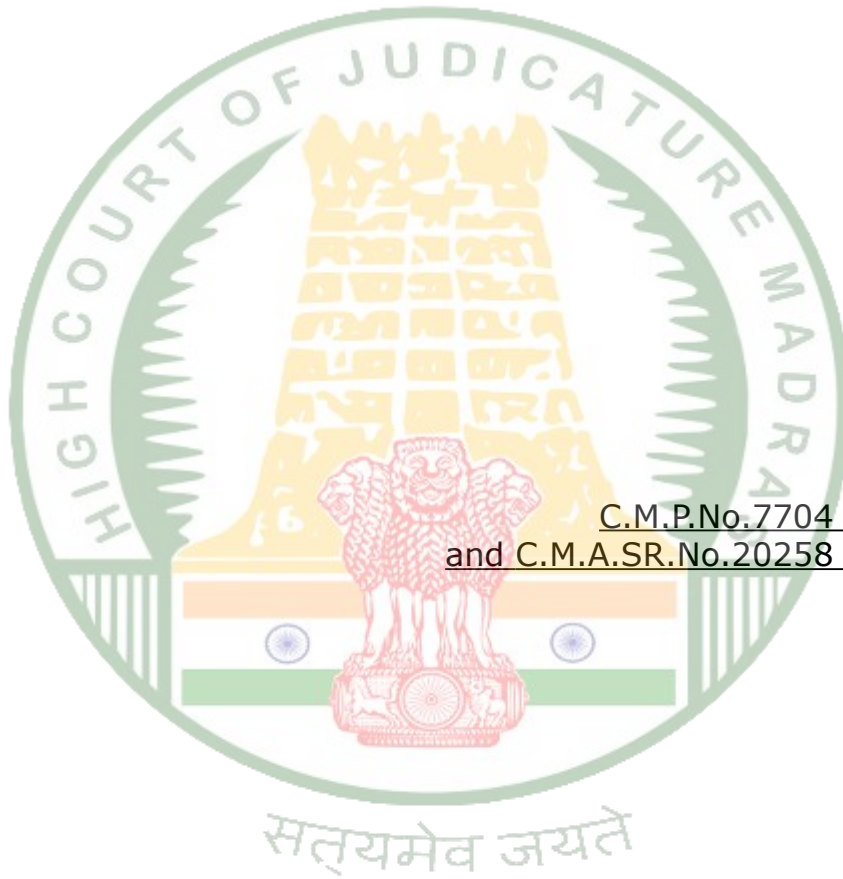
Motor Accidents Claims Tribunal,
II- Judge, Special Subordinate Court,
Salem.



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V.M.VELUMANI, J.

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and C.M.A.SR.No.20258 of 2018

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