

CMP.NO.11812 OF 2019
IN CMA.SR.58179 OF 2007

S.RAMATHILAGAM, J.

This civil miscellaneous petition has been filed to restore the above CMA.SR.No.58179 of 2007 which was dismissed on 29.10.2012. The petitioner in the affidavit contended that he preferred a claim application in MACTOP 349 of 2005 claiming a sum of Rs.5,00,000/- as compensation and the Tribunal awarded a sum of Rs.1,44,577. Aggrieved against the same the petitioner/claimant preferred the appeal with a delay of 368 days.

2. In the said application it is stated that the counsel could not make representation due to his illness and the said application was dismissed. Further batta was not filed within the time, hence, the petition to restore the CMA Sr.No.58179 of 2007 was dismissed on 29.10.2012. Today also there is no representation for the petitioner. Hence it is very much observed that though the petitioner has filed this CMA, he is not interested in proceeding with the case. There is no merit in considering the same even in future. It is for the Registry to take note of the same.

3. In view of the earlier dismissal of CMA SR.No.58179 of 2007 passed by this Court vide order dated 29.10.2012 for non compliance of the condition by the learned counsel for the petitioner and also taking note of the fact the non

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appearance of the learned counsel for the petitioner today to represent the present miscellaneous petition filed to restore the said CMA SR No.58719 of 2007, this Court is of the view that the present miscellaneous petition is also liable to be dismissed.

dpq



12.06.2019

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