

C.M.P. No.14890 of 2019 in
Cros. Objection SR. No.82007 of 2019
in C.M.A. No.488 of 2014

T.RAJA,J.

The petition has been filed by the claimants to condone the delay of 1942 days in filing the above Cross Appeal in C.M.A. No.488 of 2014.

2.Learned counsel appearing for the petitioners would submit that the petitioner's son Sigamani, who was working under the first respondent and earning a sum of Rs.25,000/-, during the course of employment, met with an accident in the work site on 29.04.2013 and sustained grievous injuries and died on the same day. He would further submit that without impleading the petitioners as legal heirs of the deceased, the Deputy Commissioner of Labour II, has passed an order dated 27.12.2013 awarding a sum of Rs.8,85,480/-. As against the same, the first respondent employer filed the present Appeal challenging the liability and got interim direction to withhold the amount deposited by the appellant by an order dated 11.02.2014. In the meanwhile, the statutory time limit of 30 days has expired. Therefore, the delay has occurred.



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3.Learned counsel appearing for the petitioners would further submit that due to unfortunate accident, the petitioners lost their only son, who is the bread winner of the family. As the petitioners are illiterate and unaware of the court proceedings, the Cross Appeal has not been filed within time. After arranging minimum filing expenses and producing all relevant papers to the present counsel on record, the petitioners have filed the Cross appeal with the delay of 1942 days and therefore, the delay be condoned which is neither willful nor wanton, but due to bonafide reasons.

4.As there was no serious objection from the learned counsel appearing for the respondents, the petition is allowed and the delay is condoned.

09.08.2019

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Note:

After numbering the Cross Objection, registry to post the matter on 19.08.2019 along with the petition seeking permission to raise additional grounds of appeal

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