

CMP No.19581 of 2019 in
CMA (SR) No.115104 of 2019

R.MAHADEVAN, J.

This petition is filed by the petitioner / appellant / claimant seeking exemption of payment of court fee for a sum of Rs.14,000/- in the above Appeal.

2. Heard the learned counsel for the petitioner.

3. The learned counsel for the petitioner submitted that the Tribunal has awarded a total compensation of Rs.5,05,600/- with interest at 7.5% per annum, as against the claim of Rs.20,00,000/- made by the petitioner/appellant/claimant; due to the injuries sustained by the petitioner on account of the accident, he was under mental agony and stress and could not able to do work which was doing previously and mobilize funds to pay Court fee and hence, he sought indulgence of this Court by granting exemption from paying the court fee. The learned counsel, on instructions, submitted that the petitioner undertakes to pay the Court fee, in the event of succeeding in the Appeal.

R.MAHADEVAN, J.

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4. On a perusal of the award, it is seen that the Tribunal, after analysing the evidence adduced by the parties, has fixed the contributory negligence at 20% on the petitioner/appellant/claimant. Further, the learned counsel for the petitioner, during the course of argument, submitted that the entire award amount, as ordered by the Tribunal, had already been deposited by the Insurance Company and the same was also withdrawn by the petitioner/appellant/claimant. In such circumstances, this Court is not inclined to grant the relief sought for herein.

5. Accordingly, this petition seeking exemption of paying Court fee, is dismissed. However, eight weeks time from today, is granted to pay the necessary court fee, if the petitioner/appellant chooses to do so.

12.09.2019

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