

C.M.P.No.7850 of 2017 in C.M.A.No.SR15060 of 2016

T.RAJA, J.

It is a clear case of loss of right eye sight by the injured (since deceased) while he was discharging his work during the course of employment under the first respondent. As the injured completely lost his right eye sight for which he was taking treatment then and there, even after the award was passed by the Deputy Commissioner of Labour-II, Chennai quantifying only a sum of Rs.2,71,420/-, the petitioners have been advised to prefer appeal, as the award amount is very much insufficient.

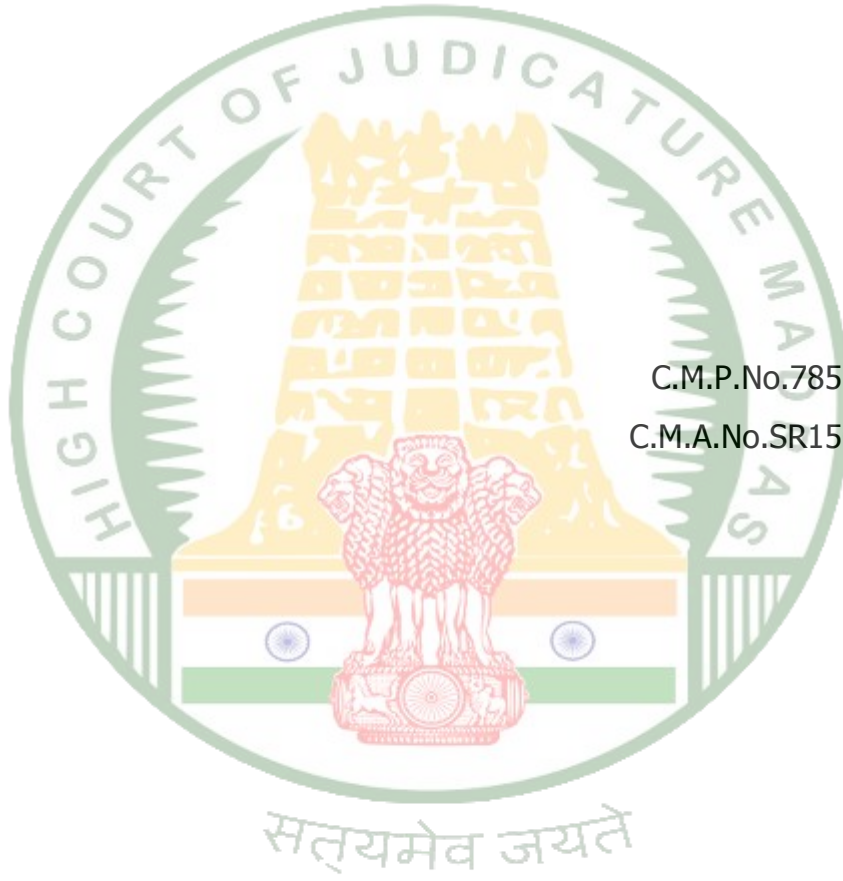
2. Learned counsel for the petitioners submitted that in view of the disability suffered by the husband of the first petitioner, as he had not regained his right eyesight and he also subsequently died, they were unable to pursue the matter immediately for enhancement of compensation. In the meanwhile, the delay of 262 days has occurred, which is neither wilful nor wanton.

3. Although notice was issued to the second respondent and the service being complete, no one has appeared. That shows that they have no objection for condoning the delay. Besides, it is a clear case for condonation of delay, for the reason mentioned above that the injured (since deceased) lost his right eye sight and was taking treatment, hence, the delay is condoned and the civil miscellaneous petition stands allowed.

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