

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.11.2020

CORAM

THE HON'BLE MR.JUSTICE C.SARAVANAN

C.M.A.No.2500 of 2008
and M.P.No.1 of 2008

(Through Video Conferencing)

United India Insurance Co., Ltd.,
Pudhu Nagar,
Cuddalore. Appellant/2nd Respondent

vs.

1.Krishnarajan1st Respondent/Petitioner
2.Senthil
3.Kumar
4.National Insurance Co., Ltd.,
Cuddalore.
(R2 and R3 are set exparte in
the Lower Court) Respondents 2 to 4/Respondents 1,3 and 4

Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 against the judgment and decree dated 05.01.2006 made in M.C.O.P.No.744 of 2003 on the file of the Motor Accident Claims Tribunal (Principal Sub Judge) Cuddalore.

For Appellant : No Appearance
For R4 : Mr.G.Udaya Sankar
R1 : Not known
R2 and R3 : Exparte

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J U D G M E N T

There was no representation on behalf of the appellant, despite the case being listed on 10.09.2020 & 29.10.2020. The learned counsel for the 4th respondent is present and submits that typed set of papers also has not been served to him and therefore he is unable to give any assistance to the Court. It is seen from the court records that notice on the 1st respondent/claimant has remained unserved till date. Thus,

there is no representation for the 1st respondent. Notice on the 2nd and 3rd respondents have also remained un-served. It appears they were set exparte before the Tribunal.

2. It is noticed that this appeal pertains to the claim petition dated 04.03.2003. The impugned Judgment and decree was passed on 05.01.2006. The Tribunal by the impugned judgment and decree has awarded a sum of Rs.2,25,170/- as compensation to the claimant/first respondent.

In view of the above, this appeal is dismissed for non-prosecution. No cost. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

/TRUE COPY/

Sub-Assistant Registrar

kkd

Notes:-In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To

1.The Principal Sub Judge,
The Motor Accident Claims Tribunal,
(Principal Sub Judge) Cuddalore.

2.The Section Officer,
VR Section,
High Court, Madras

+1cc to Mr.G.UDAYASANKAR, ADVOCATE, SR.NO. 36597

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BR(CO)
KKN 20.04.2021

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