

C.M.P.No.21971 of 2019
and
C.M.A.SR.No.124090 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.02.2020

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

C.M.P.No.21971 of 2019
and
C.M.A.SR.No.124090 of 2019

S.Pradeep

.. Petitioner

Vs.

1.Kaleel Rahaman
2.Shiram General Insurance Co. Ltd.,
II Floor, City Centre complex,
66, Thriumala Pillai Road near Vani Mahal,
T.Nagar, Chennai-600017

.. Respondents

PRAYER: C.M.P.No.21970 of 2019 is filed under Section 173 (1) of the Motor Vehicles Act, 1988, to condone the delay of 2004 days in filing the above appeal.

C.M.A.SR.No.124090 of 2019 is filed under Section 173 of the Motor Vehicles Act, 1988, against the judgment and decree dated

C.M.P.No.21971 of 2019
and
C.M.A.SR.No.124090 of 2019

21.06.2010 made in M.C.O.P.No.1584 of 2010 on the file of the
Motor Accident Claims Tribunal, Cuddalore

For Petitioner : Mr.S.Udayakumar

ORDER

C.M.P.No.21971 of 2019 is to condone the delay of 2004 days
in filing the above appeal.

C.M.A.SR.No.124090 of 2019 is filed against the judgment
and decree dated 21.06.2010 made in M.C.O.P.No.1584 of 2010 on
the file of the Motor Accident Claims Tribunal, Cuddalore

2.Heard learned counsel appearing for the petitioner and
perused the materials available on record.

3.The learned counsel for the petitioner submitted that the
award was passed on 09.12.2013, the counsel applied for copy
application on 20.08.2019 and the same was made ready only on
12.09.2019. The petitioner was suffering from Jaundice, bed ridden
and he took treatment in Maharashtra State to fix the artificial limb.

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Due to the above reason, he could not collect the papers from the Trial Court for filing the appeal in time. Hence, the delay of 2004 days has occurred in filing the appeal. The reason given by the petitioner to condone the delay of 2004 days in filing the appeal is not valid and sufficient. The petitioner is not diligent enough to prosecute the case. In view of the same, this Court is not inclined to condone the delay. Accordingly, C.M.P.No.21971 of 2019 stands dismissed and consequently, C.M.A.SR.No.124090 of 2019 is rejected. No costs.

06.02.2020

vsn

To

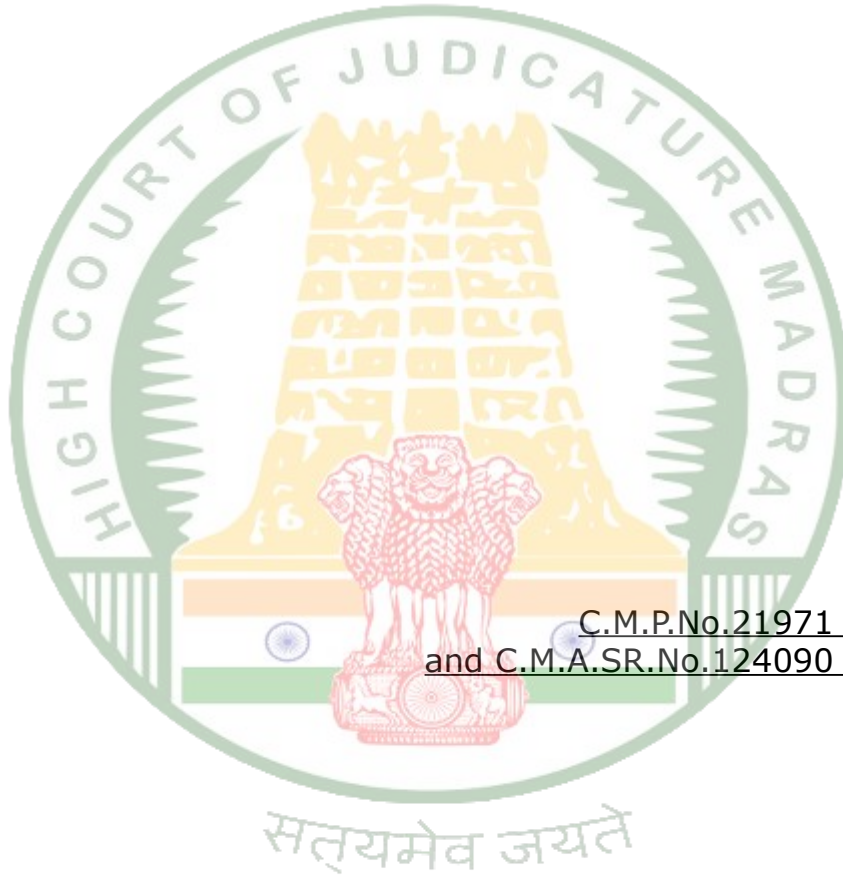
The Motor Accidents Claims Tribunal,
Cuddalore

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and
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V.M.VELUMANI, J.

vsn



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and C.M.A.SR.No.124090 of 2019

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