

C.M.P.No.24719 of 2019
in
C.M.A.SR.No. 141972 of 2019

V.BHARATHIDASAN, J.

This Civil Miscellaneous Petition has been filed seeking to condone the delay of 2223 days in filing the above Civil Miscellaneous Appeal.

2. Mr.R.Ramesh, learned counsel appearing for appellant would submit that it is a case of fatal accident. The claimants are wife and minor children. The Tribunal awarded a sum of Rs.4,95,000/-. Not being satisfied with the same, the claimants have filed the above appeal. The learned counsel has further submitted that the deceased is the husband of 1st appellant and father of 2nd and 3rd appellants, he was only managing the entire family. The 1st appellant wife has to take the entire burden and managing the family with minor children and could not meet her counsel to file the appeal. Hence, the delay.

3. Mr. P.Sankaranarayanan, learned counsel appearing for 2nd respondent has strongly opposed the above petition for condoning the delay of 2223 days.

4. Considering the facts and circumstances, the reasons stated by the petitioners seems to be bonafide one. Hence, this Court is inclined to allow the above petition and accordingly, this petition is ordered. However, in the event of appeal being allowed, the appellants are not entitled for interest for the default period. Registry is directed to number the appeal, if the papers are otherwise in order and also directed to print the name of Mr.P.Sankaranarayanan, learned counsel for 2nd respondent in the cause list.

4. Post the matter for admission on 11.12.2020.

09.12.2020

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