



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Wednesday, the Eighteenth day of March Two Thousand Twenty

PRESENT

The Hon`ble Mr.Justice P.VELMURUGAN

CMP(MD) No.2332 of 2020
in
C.M.A(MD) SR.No.10727 of 2020

THE DIVISIONAL MANAGER
ORIENTAL INSURANCE COMPANY LTD.,
DIVISIONAL OFFICE,
6-A, WEST VELI STREET,
BANGUR DHARMASALA BUILDING,
MADURAI -1.

... PETITIONER/ APPELLANT

Vs

1 SHANTHI
2 MINOR MONISH
3 SETHU
4 UTHIRAVALLI
5 MINOR SUDESAN
(MINOR RESPONDENTS 2 AND 5 REPRESENTED
THROUGH THEIR MOTHER AND GUARDIAN
SHANTHI/ 1st RESPONDENT)

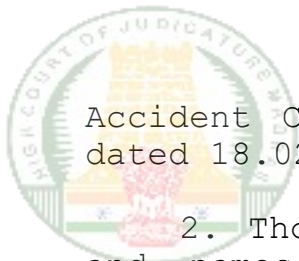
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... RESPONDENTS/ RESPONDENTS

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to pass an order to condone the delay of 152 days in filing the Appeal against the award/Decree and Judgment dated 18.02.2019 passed in MCOP No.107/2017 on the file of the Hon`ble Motor accidents Tribunal (Additional District Court, Paramakudi), decide the Appeal on merits and further be pleased to pass such further or other orders as this Hon`ble Court.

ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.C.KARTHIK, Advocate for the petitioner, and respondent not appeared either in person or by an advocate, the court made the following order:-

This petition is filed to condone the delay of 152 days in filing the above appeal, by the Appellant /Insurance Company against the award and decree in MCOP No.107 of 2017 passed by the Motor
<https://hcservices.courts.gov.in/hcservices/>



Accident Claims Tribunal / Additional District Court, Paramakudi,
dated 18.02.2019.

2. Though the Respondents / Claimants were served with notice and names printed in the cause list, none appeared for the respondents.

3. This Court is satisfied with the reasons stated in the affidavit filed in support of the petition. Therefore, the delay of 152 days is condoned and this petition is allowed.

4. The learned counsel appearing for the appellant would submit that he has deposited a sum of Rs.25,000/- at the time of filing the appeal.

5. In view of the above, the appellant is directed to deposit 50% of the award amount with proportionate accrued interest and costs to the credit of MCOP No.107 of 2017 on the file of the Motor Accident Claims Tribunal / Additional District Court, Paramakudi on or before 08.04.2020.

6. On such deposit, the Motor Accident Claims Tribunal (Additional District Judge), Paramakudi is directed to deposit the same in anyone of the Nationalised Bank in an interest bearing account, till the disposal of the appeal.

7. The respondents / Claimants are not permitted to withdraw the amount till the disposal of the appeal.

8. List the matter on 09.04.2020, for reporting compliance.

9. Registry is directed to number the Civil Miscellaneous Appeal if it is otherwise in order.

sd/-

18/03/2020

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/ /2020

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

THE ADDITIONAL DISTRICT JUDGE,

THE MOTOR ACCIDENTS TRIBUNAL, PARAMAKUDI.

+1 CC to M/s.C.KARTHIK, Advocate (SR-5411[I] dated 18/03/2020)

ORDER IN

CMP(MD) No.2332 of 2020 in

C.M.A(MD)SR.No.10727 of 2020

Date :18/03/2020