



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Civil Appellate Jurisdiction)

Monday, the Fourth day of October Two Thousand Twenty One

PRESENT

THE HON`BLE MR.JUSTICE K.KALYANASUNDARAM

AND

THE HON`BLE MR.JUSTICE V.SIVAGNANAM

CMP.No.13038 of 2021

in CMA.SR.No.61318 of 2021

1 VIJAYA

[PETITIONERS]

2 NAGABOOSHANAM

3 PRIYANKA

Vs

1 V.MANIKANDAN

[RESPONDENTS]

2 UNITED INDIA INSURANCE CO. LTD.,
NO.48, ARCOT ROAD, SALIGRAMAM,
CHENNAI - 600 093.

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to condone the delay of 798 days in filing the above Civil Miscellaneous Appeal in CMA.SR.No. 61318 of 2021 [in CMP.No.13038 of 2021].

Order : This petition coming on this day for hearing upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of MR.M.LOKESH, Advocate for the petitioner and of MR.C.PARANTHAMAN, Advocate for the 2nd Respondent, the court made the following order:-

(Order of the Court was made by K.KALYANASUNDARAM, J)

This petition has been filed to condone the delay of 798 days in filing the above appeal.



2.The learned counsel for the petitioners would state that the petitioners lost the certified copies of the Judgment and decree and that apart, in view of the Covid -19 pandemic, the appeal was not filed in time. It is also stated that the petitioners are entitled to additional future prospects, but it was not ordered by the Tribunal.

3.The learned counsel appearing for the second respondent opposed the application by stating that the petitioners have not shown sufficient cause for condoning the delay.

4.However, considering the facts and circumstances of the case, the delay is condoned and this petition is allowed. However, the petitioners are not entitled for interest from the date of Judgment and Decree i.e., 09.10.2017 till the date of number of this appeal.

-sd/-
04/10/2021

/ TRUE COPY /

Sub-Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

THE II ADDITIONAL DISTRICT JUDGE,
MOTOR ACCIDENTS CLAIMS TRIBUNAL,
POONAMALLEE

Order
in
CMP.No.13038 of 2021
in CMA.SR.No.61318 of 2021

Date :04/10/2021

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