



**C.M.P.No.16687 of 2022**  
**in**  
**Cross Obj.No.sr16690 of 2020**  
**and**  
**C.M.A.No.3342 of 2013**

**RMT.TEEKAA RAMAN, J.**

C.M.P.No.16887 of 2022 has been filed to condone the delay of 2385 days in preferring the cross Appeal in C.M.A.No.3342 of 2013.

2.Learned counsel for the Petitioner submitted that after obtaining majority, the minor claim Petitioners have filed this Petition.

3.On verification of records, it is seen that the 2<sup>nd</sup> claim Petitioner's date of birth is 06.08.1994 and his brother's date of birth is 11.09.1995 and hence the submission of the learned Counsel for the Petitioner is not correct. Therefore, I am not inclined to grant the relief in respect of condoning the delay in preferring the Cross Appeal. However, it is open to the Petitioners to raise their right on the question of law as to the enhancement of compensation as per Order 41 Rule 33 of CPC as held by the Division Bench of this Court. Accordingly, C.M.P.No.16887 of 2022 is dismissed.

4.List C.M.A.No.3342 of 2013 for final disposal on 11.1.2023.

**22.12.2022**

*sai*



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**RMT.TEEKAA RAMAN, J.**

*sai*

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**Dated: 22.12.2022**