



C.M.P.No.3611 of 20.

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in C.M.A.SR.No.20143 of 2023

WEB COPY **SUNDER MOHAN,J.**

This Application has been filed to condone the delay of 260 days in filing the above captioned C.M.A against the decree and judgment passed in MACT.O.P.No.491 of 2020, dated 07.10.2021 on the file of the Motor Accident Claims Tribunal, Special. District Court, Krishnagiri.

2.Mr.Arun Kumar, learned counsel takes notice for the second respondent and submitted that he has no objection for the above petition being allowed on condition that the appellant shall forfeit the interest for the delay period, in the event of this Court enhancing the Award amount.

3.Learned counsel for the petitioners submitted that the first and second respondents remained ex-parte before the Tribunal and therefore, requested this Court to dispense with the notice to the first and second respondents and had also made an endorsement to that effect in the Court bundle.

4.Heard both sides.

5.Considering the averments made in the affidavit filed in support of this application and being satisfied with the same, the delay is condoned on the condition that the petitioners shall not claim interest for



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the delay period of 260 days, in the event of this Court enhancing the Award amount. Hence, this application is ordered as prayed for.

6.Registry is directed to number the C.M.A., if it is otherwise in order and the list the same in due course.

25.08.2023

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