



C.M.P.No.6359 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 12.04.2023

Coram:

THE HONOURABLE MRS.JUSTICE N.MALA

C.M.P.No.6359 of 2023

in

C.M.A.Sr.No.21494 of 2022

Mohan

... Petitioner/Appellant

Vs.

1.G.M.Shankar

2.United India Insurance Co. Ltd.,

135, Silingi Building,

No.134, Greams Road,

Chennai – 600 006.

... Respondents

Prayer in C.M.P: Civil Miscellaneous Petition filed under Section 5 of the Limitation Act r/w. 151 of Code of Civil Procedure, 1908, praying to condone the delay of 347 days in representing the C.M.A.Sr.No.21494 of 2022 against M.C.O.P.No.1573 of 2016 on the file of Motor Accident Claims Tribunal, (II Small Causes Court), Chennai.

Prayer in C.M.A: Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988, to allow this appeal and be pleased to enhance the amount awarded in M.C.O.P.No.1573 of 2016 dated 06.08.2021 on the file of Motor Accident Claims Tribunal, (II Small Causes Court), Chennai, as prayed for with interest and cost.

For Petitioner/Appellant : Mr.K.Varadha Kamaraj



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ORDER

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The Civil Miscellaneous Petition is filed to condone the delay of 347 days in representing the C.M.A.Sr.No.21494 of 2022 against M.C.O.P.No.1573 of 2016 on the file of Motor Accident Claims Tribunal, (II Small Causes Court), Chennai.

2. The Insurance Company filed an appeal in C.M.A.No.228 of 2022, and a settlement was arrived between the petitioner and the Insurance Company before the Lok Adalat on 11.02.2023. The learned counsel submits that conditional order passed by this Court on 31.03.2023 was not complied with. The learned counsel further submits that, in view of the settlement arrived before the Lok Adalat, this appeal may be dismissed.

3. In view of the settlement arrived before the Lok Adalat on 11.02.2023, the C.M.P.No.6359 of 2023 is dismissed. Consequently, the Civil Miscellaneous Appeal is rejected at the S.R. stage itself. No costs.

12.04.2023

Index : Yes/No
gd



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WEB COPY

- To
- 1.The Motor Accident Claims Tribunal, (II Small Causes Court),
Chennai.
 - 2.The Section Officer,
V.R.Section,
High Court of Madras,
Chennai.



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N.MALA, J
gd

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