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C.M.P.No.13774 of 2023
in
C.M.A.SR.No.30447 of 2022

SUNDER MOHAN,J.

This Petition has been filed seeking to condone the delay of 1012 days in filing the above Civil Miscellaneous Appeal.

2. Learned counsel for the petitioner / appellant submits that the petitioner has stated the reason for the delay in para 9 of the affidavit and that the petitioner due to his injury, was unable to pursue his avocation and also perform his daily activities. Hence, he was unable to file the appeal in time.

3. Per contra, the learned counsel for the respondent submitted that the delay has not been explained and prayed for dismissal of this petition.

4. Considering the averments made in the affidavit filed in support of this petition and being satisfied with the same, the delay is condoned on condition that the petitioner shall forfeit the interest for the delay period in the event of this Court enhancing the compensation. Hence, this Petition is ordered as prayed for.

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

02.08.2023

AT

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