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C.M.P.No.7188 of 2023

C.M.P.No.7188 of 2023
in C.M.A.SR.No.32692 of 2023

SUNDER MOHAN,J.

The above captioned Civil Miscellaneous Petition has filed to condone the delay of 1146 days in filing the above C.M.A. against the judgment and decree dated 05.08.2019 and made in MACT.O.P.No.4124 of 2014 on the file of the II Judge, Motor Accident Claims Tribunal , Cmall Causes Court, Chennai.

2.Heard Mr.K.Ayyadurai, learned counsel appearing for the petitioner and Ms.C.Bhuvanasundari, learned appearing on behalf of 2nd respondent.

3.Learned counsel appearing for the petitioner would submit that the delay in preferring the above appeal was due to the pandemic and therefore, the petitioner was not in a position to raise the required money for preferring the appeal.

4.Per contra, the learned counsel appearing on behalf of the 2nd



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respondent submitted that the respondent had deposited the entire amount together with interest and cost as early as on 30.08.2019 and the petitioner has not taken any steps to withdraw the deposited money and opposed to allow the above miscellaneous petition.

5.This Court, on perusal of the affidavit and the counter and on hearing the submissions of the learned counsels appearing on either side, the said delay can be condoned on the condition that the petitioner shall not claim any interest for the period of 1146 days, in the event of this Court enhancing the compensation amount.

6.With the above condition, the above captioned Civil Miscellaneous Petition is ordered as prayed for.

03.07.2023

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