



C.M.P.No.15398 of 2023
in C.M.A.Sr.No.40923 of 2023

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SUNDER MOHAN,J.

This Petition has been filed seeking to condone the delay of 298 days in filing the above captioned C.M.A.

2.Learned counsel appearing for the appellant submitted that the 1st respondent remained *ex-parte* before the Tribunal and he has made an endorsement to dispense with notice to the 1st respondent. Hence, notice to the 1st respondent is dispensed with. Though notice served on the 2nd respondent, none appeared on behalf of them.

3.Heard the learned counsel for the petitioner.

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 the condition that the petitioner/appellant shall forfeit the interest for the delay period in the event this Court is 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.

18.08.2023

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