



C.M.P.No.13248 of 2023  
in C.M.A.SR.No.44127 of 2023

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**SUNDER MOHAN,J.**

This Petition has been filed seeking to condone the delay of 303 days in filing the above Civil Miscellaneous Appeal.

2. Learned counsel appearing for the petitioner/appellant would submit that the first respondent remained ex-parte before the Tribunal and he has made an endorsement to dispense with notice to the first respondent.

3. R2 has been served through Court and privately. Yet none entered appearance. Mrs.R.Sree Vidhya, learned counsel, takes notice for the second respondent and undertakes to file vakalat.

4. 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 appellant shall forfeit the interest for the delay period in the event 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.

**04.08.2023**

AT



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AT

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