



C.M.P.No.8923 of 20.

C.M.P.No.8923 of 2021
in C.M.A.SR.No.48091 of 2021

WEB COPY **SUNDER MOHAN,J.**

This Application has been filed to condone the delay of 736 days in filing the above captioned C.M.A against the decree and judgment passed in MCOP.No.81 of 2016, dated 15.11.2017 on the file of the Motor Accident Claims Tribunal, Principal District Judge, Puducherry.

2.Mr.R.Poomalai, learned counsel takes notice for the 2nd respondent and fairly submitted that he has no objection for the above petition being allowed on condition that the appellant shall forfeit the interest for the delay period, in the event of this Court enhancing the Award amount.

3.Learned counsel for the appellant submitted that the 1st respondent remained ex-parte before the Tribunal and therefore, notice to the 1st respondent is dispensed with vide order of this Court on 25.08.2023.

4.Heard both sides.

5.Considering the averments made in the affidavit filed in

support of this application and being satisfied with the same, the delay is



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condoned on the condition that the appellant shall not claim interest for the delay period of 736 days, in the event of this Court enhancing the Award amount. Hence, this application is ordered as prayed for.

4.Registry is directed to number the C.M.A., if it is otherwise in order and the list the same in due course. The Registry is further directed to print the name of Mr.R.Poomalai, learned counsel appearing for the 2nd respondent in the cause list, at the time of admission .

07.09.2023

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