



C.M.P.No.13026of 20.

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in C.M.A.SR.No.69740 of 2023

WEB COPY **SUNDER MOHAN,J.**

This Application has been filed to condone the delay of 1175 days in filing the above captioned C.M.A against the decree and judgment passed in M.C.O.P.No1769 of 2017, dated 01.10.2019 on the file of the Motor Accident Claims Tribunal, Chennai (in the Special Judge - II, Court of Small Causes)

2.Though notice was served on the 2nd respondent/ Insurance Company on 17.07.2023, none had appeared on their behalf before this Court.

3.Learned counsel for the appellant submitted that the 1st respondent remained ex-parte before the Tribunal and therefore, requested this Court to dispense with the notice to the 1st respondent and had also made an endorsement to that effect in the Court bundle. Hence, notice to the 1st respondent is dispensed with.

4.Heard the learned counsel for the petitioner.

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 petitioner shall not claim any interest for the period of 1175 days, in the event of this Court enhancing the compensation amount.

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

19.07.2023

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