



C.M.P.No.13515 of 2023
in C.M.A.SR.No.59718 of 2023

SUNDER MOHAN,J.

This Petition has been filed seeking to condone the delay of 73 days in filing the above captioned C.M.A.

2.The learned counsel for the petitioner submitted that since the petitioner has not challenged the liability aspect in the above captioned C.M.A., he requested this Court to dispense with notice to the 2nd respondent and he had also made an endorsement to that effect. Hence, notice to the 2nd respondent is dispensed with.

3.Though notice has been sent to the 1st respondent to the address shown in the claim petition, the same was returned with an endorsement “No such address”. Hence, this Court permitted the learned counsel for the petitioner to serve copy of the notice to the learned counsel who appeared for 1st respondent before the Tribunal. Accordingly, the learned counsel for the petitioner served notice to the Lower Court counsel on 16.08.2023. However, there is no representation for the 1st respondent.

4.Considering the averments made in the affidavit filed in support of this petition and being satisfied with the same, the delay is condoned. 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.

08.09.2023



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rst/dpa

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