



C.M.P.No.17546 of 2023
in C.M.A.SR.No.79472 of 2023

WEB GOM **SUNDER MOHAN,J.**

This Petition has been filed seeking to condone the delay of 164 days in filing the above Civil Miscellaneous Appeal.

2. Learned counsel appearing for the petitioners/appellants would submit that the first respondent before the Commissioner remained ex-parte and no notice may be required to the legal heirs who are the respondents 1 to 3 and he has also made an endorsement to that effect.

3. Heard the learned counsel appearing for the petitioners. Though notice has been served on the fourth respondent, none has entered appearance.

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 petitioners/appellants shall forfeit the interest for the delay period in the event of 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.

21.09.2023

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SUNDER MOHAN,J.

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