



C.M.P.No.20687 of 2021 in
C.M.A.SR.No.80035 of 2021

SUNDER MOHAN,J.

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This Petition has been filed seeking to condone the delay of 535 days in filing the above Civil Miscellaneous Appeal.

2. The learned counsel appearing for the petitioner/appellant submitted that the claim petition as against 4th respondent was dismissed before the tribunal and hence, 4th respondent may not be a necessary party and he has also made an endorsement to that effect in the bundle. Though the 1st and 3rd respondents have been served and her names being printed in the cause list, none has entered appearance on behalf of them either in person or through counsel.

3. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the 2nd 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 on condition that the appellant shall forfeit the interest for the delay period in the event, this Court enhancing the compensation.

5. This petition is ordered accordingly.

29.08.2023

msr

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

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