



CMP.No.14218 of 2017
in
Cros.Obj.No.SR64783 of 2017

C.KUMARAPPAN, J

Heard both sides.

2. The learned counsel for the petitioners would submit that they filed MCOP No.141 of 2014 for claiming a compensation of Rs.20,00,000/-, whereas the Trial Court has awarded only a sum of Rs.14,50,200/-. It appears that the petitioners have filed connected cross objection, and it is the submission of the learned counsel for the petitioners that due to the old age and sickness, they could not give instructions to their counsel to file the connected cross objection within 90 days. In the meanwhile, when they filed the cross objection, there was delay of 304 days. The learned counsel further submits that the delay was neither wilful nor wanton.

3. However, the learned counsel for the respondent would strongly object this application by contending that the delay of 304 days is abnormal and cannot be condoned. However, the learned counsel for the respondent would fairly concede that if the Court determines, even the higher amount, as the just compensation, there is no bar for this Court to order for the same.

3. Having considered the submission of either side, and upon the reason stated in the affidavit, this Court do not find any impediment in condoning the delay of 304 days. Hence, the delay of 304 days is condoned and this CMP is allowed. Registry is directed to number the connected cross objection, if otherwise in order.

23.06.2023

kmi



WEB COPY



C.KUMARAPPAN, J

kmi

CMP.No.14218 of 2017
in
Cros.Obj.No.SR64783 of 2017

23.06.2023