



C.M.P.No.2693 of 2023
in C.M.A.SR.No.1212 of 2022

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SUNDER MOHAN,J.

This Petition has been filed seeking to condone the delay of 326 days in filing the above captioned C.M.A.

2.Notice to the 1st respondent was dispensed with vide order of this Court dated 25.08.2023.

3.The learned counsel for the 2nd respondent submitted that the delay is not 326 days but, 693 days and he has also filed counter to the said effect.

4.Heard the learned counsel for the petitioner as well as the learned counsel for the 2nd respondent.

5.On perusal of records, it is seen that the limitation period expired on 10.02.2020 prior to the pandemic. Therefore, the learned counsel for the 2nd respondent is right in saying that the delay is 693 days.

6.Considering the averments made in the affidavit filed in support of this petition and being satisfied with the same, the delay of 693 days is condoned on the condition that the petitioner shall forfeit the interest for the delay period in the event this Court enhancing the compensation. Hence, this petition is ordered as prayed for.



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SUNDER MOHAN,J.

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7.Registry is directed to number the C.M.A., if it is otherwise in order and list the same in due course by printing the name of Mr.R.Sivaraj, as learned counsel for the 2nd respondent.

11.09.2023

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