



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Tuesday, the Twenty Fourth day of January Two Thousand and Twenty
Three

WEB COPY

PRESENT

The Hon`ble Mrs.Justice N.MALA

CMP(MD) No.559 of 2023

IN

CMA(MD) 1149 of 2022

NEW INDIA ASSURANCE COMPANY LTD.,,
SALAI STREET, RAMANATHAPURAM. ... PETITIONER/PETITIONER/APPELLANT

Vs

1 CHARLAS,

2 SUGUMAR,

3 AMALDOSS,

4 RESINAPILOMINAL,

5 KANNAN, ... RESPONDENTS/RESPONDENTS/RESPONDENTS

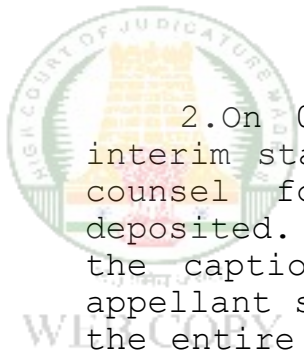
Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to grant extension of time to comply the order of this Honourable Court in CMP(MD).11828 in CMA(MD).No.1149 of 2022 dated 13-12-2022 and thus render justice.

Prayer in CMA(MD) . 1149/2022 :

Civil Miscellaneous Appeal Under Section 173 of Motor Vechile Act, to set aside the award passed in MCOP.No.3 of 2022 dated 29-07-2022 on the file of the Motor Accidents Claims Tribunal, Additional District Court, Ramanathapuram and allow the appeal with costs.

ORDER : This petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.J.S. MURALI, Advocate for the petitioner, the Court made the following order:-

This petition is filed to grant extension of time to comply with the order of this Court, in CMP(MD)No.11828 of 2022 in CMA(MD) No.1149 of 2022 dated 13.12.2022.



2. On 06.12.2022, an order was passed by this Court granting interim stay till 05.01.2023 on the submission made by the learned counsel for the appellant that the entire award amount was deposited. Thereafter, on 13.12.2022, the matter was posted under the caption 'for being mentioned'. The learned counsel for the appellant submitted that though representation was made earlier that the entire award amount was deposited, as a fact the amount was not deposited and time was sought to deposit the award amount. This Court granted three weeks time from the date of receipt of a copy of the order i.e., 13.12.2022 to deposit the entire award amount.

3. The learned counsel for the petitioner/appellant submits that he received a copy of the order only on the last date and therefore, the said deposit could not be made. Therefore, he has come before this Court by way of this application seeking extension of time for making deposit.

4. In view of the submissions made by the learned counsel for the petitioner/appellant, four weeks time is granted from the date of receipt of a copy of this order to deposit the entire award amount to the account of MCOP.No.3 of 2022 on the file of the Motor Accidents Claims Tribunal, Additional District Court, Ramanathapuram.

5. Post this matter on 10.03.2023. Till such time, the interim stay already granted is extended on condition of deposit of the entire award amount within the time stipulated herein.

sd/-

24/01/2023

/ TRUE COPY /

/02/2023

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

THE ADDITIONAL DISTRICT JUDGE,
MOTOR ACCIDENTS CLAIMS TRIBUNAL,
RAMANATHAPURAM.

+1 CC to M/s.MURALI, Advocate (SR-1151[I] dated 25/01/2023)

ORDER

IN

CMP(MD) No.559 of 2023

IN

CMA(MD)1149 of 2022

Date :24/01/2023

SS/BUC/SAR-IV/31.01.2023/2P/3C

<https://www.mhc.tn.gov.in/judis>