



C.M.A. No.1534 of 2021

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WEB COPY **K.RAJASEKAR, J.**

The Civil Miscellaneous Appeal is listed today, under the caption for “for being mentioned” at the instance of the learned counsel appearing for the third respondent/ Insurance company.

2. Ms.I. Malar, learned counsel appearing for the third respondent/ Insurance Company submits that the final order in this civil miscellaneous appeal was passed on 12.12.2023, and on that day, she had appeared on behalf of the third respondent through video conferencing, however, her appearance had not been noted. She also submitted that this appeal has been filed after a delay of 122 days by the claimant and the same was condoned, hence, the claimants are not entitled to claim interest for the default period. Therefore, she prays to note down her appearance in the final order, passed by this Court and also to order that, the claimants are not entitled for any interest, for the default period.

3. On perusal of the order, it is recorded that there is no representation on behalf of the third respondent, however, after considering the appeal on merits, the order has been passed. It is also further noted that this appeal has been filed after a delay of 122 days by the claimant and the same was condoned by this Court, vide order dated 29.03.2021 in C.M.P. No.6115 of 2021. Thereby, this Court orders that the claimants are not entitled to any interest, for the default periods.



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4. In view of the above, the appearance of the learned counsel appearing for the third respondent, be noted in the final order and as per the final order dated 12.12.2023 made by this Court, the third respondent/ Insurance Company is directed to deposit the enhanced compensation amount awarded by the Court, to the tune of Rs.33,27,167/- (Rupees Thirty Three Lakhs Twenty Seven Thousand One Hundred and Sixty Seven only) along with interest @ 7.5% per annum, from the date of claim petition till the date of deposit, **excluding the default period, if any**, whereas the other aspects in the order, shall remain unaltered.

26.11.2024

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