



C.M.P.No.22954 of 2022 in
C.M.A.SR.No.137961 of 2022

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N.ANAND VENKATESH, J.

This Civil Miscellaneous Petition has been filed seeking to condone the delay of 75 days in filing the above Civil Miscellaneous Appeal against the order dated 05.01.2022 made in M.C.O.P.No.1372 of 2018 on the file of the Motor Accidents Claims Tribunal, Special District Judge, Salem.

2.The 3rd respondent has been served with notice and Ms.R.Sreevidhya, learned counsel takes notice on behalf of the 3rd respondent.

3.The Tribunal has directed the Insurance Company to pay the compensation to the claimants / appellants and recover the same from the 2nd respondent. The claimants have filed the appeal seeking for enhancement of compensation.

4.Notice has been served on the 1st respondent and the name has been printed in the cause list. Respondents 4 & 5 remained exparte before the Tribunal and therefore, notice is dispensed with. The Insurance Company has been directed to pay the compensation and recover the same from the 2nd respondent. Therefore, notice to the 2nd respondent also is dispensed with in this petition.



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5.Heard the learned counsel for the appellants and learned counsel for 3rd respondent and perused the records.

6.Having satisfied with the reasons assigned in the affidavit filed in support of this petition, the miscellaneous petition is allowed and the delay of 75 days is condoned.

7.The learned counsel for the appellants is directed to serve immediately the papers on the counsel appearing for the 3rd respondent – Insurance Company.

8.The name of the counsel for 3rd respondent shall be printed in the cause list at the time of admission.

03.06.2024

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