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CMP.No.25231 of 2024 in
CMA.SR.No.145714 of 2024

M.DHANDAPANI, J.

This petition has been filed to condone the delay of 865 days in filing the appeal against judgment and decree passed in MCOP.No.743 of 2017 dated 01.07.2021 on the file of Motor Accidents Claims Tribunal, Special District Judge, Salem.

2. Mrs.R.Sree Vidhya, learned counsel takes notice for the second respondent. Mr.R.Thirumoorthy, learned counsel takes notice for the third respondent. Heard the learned counsel for the appellant and the learned counsel for the respondents 2 and 3.

3. In view of the endorsement made by the learned counsel for the appellant, notice to the first respondent is dispensed with, since he remained *ex-parte* before the Tribunal.

4. Being satisfied with the reasons stated in the affidavit filed in support of this petition, this Court is inclined to order this petition.

5. Accordingly this Petition is ordered. Registry is directed to number the appeal, if it is otherwise in order and post the main appeal for admission. It is underscored that in the eventuality of the appellant succeeding in the appeal to be taken on record, he would not be entitled to any interest for the above 865 days.

18.12.2024



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