



WEB COPY



C.M.P. No. 1385 of 2025
in C.M.A.SR.No.165490 of 2024

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T.V. THAMILSELVI, J.

This Civil Miscellaneous Petition has been filed seeking to condone the delay of 59 days in filing the above Civil Miscellaneous Appeal against the award dated 18.04.2023 passed in M.C.O.P.No. 7251 of 2018, on the file of Motor Accident Claims Tribunal, V Court of Small Causes, Chennai.

2. Mr.K.Varadhakamaraj, learned counsel for appellant submitted that due to the delay in obtaining certified copy of judgment, the appellant is not able to instruct counsel on record to prefer the above appeal and only during month of November 2024, he gave papers to him, as a result of which, there is a delay of 59 days in filing the above Civil Miscellaneous Appeal arose, which is neither willful nor wanton. Therefore, he filed this petition to condone the delay in filing the above Civil Miscellaneous Appeal.

3. Mrs.C.Harini, learned counsel for 2nd respondent appeared and raised strong objections stating that delay was not properly explained.

4. Considering the facts and circumstances, and the reasons stated by the petitioner in the affidavit is justifiable one, this court is inclined to allow this petition. Registry is directed to number the Civil Miscellaneous Appeal if it is otherwise found to be in order. The interest for the delay period is ordered to be waived.

12.08.2025

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