



WEB COPY



C.M.P. No. 3847 of 2024
in C.M.A.SR.No.12544 of 2024

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T.V. THAMILSELVI, J.

This Civil Miscellaneous Petition has been filed seeking to condone the delay of 237 days in filing the above Civil Miscellaneous Appeal against the award dated 20.01.2023 passed in M.C.O.P.No. 108 of 2021, on the file of Motor Accident Claims Tribunal, District and Sessions Court No.II, (FAC), Kanchipuram.

2. Mr.M.Sivakumar, learned counsel for appellant submitted that due to financial constraints, the appellant is not able to instruct counsel on record to prefer the above appeal and only during month of May 2025, he gave papers to him, as a result of which, there is a delay of 237 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. Mr.S.Arunkumar, learned counsel for 2nd respondent appeared and raised 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 and to print the name of Mr.S.Arunkumar, learned counsel for 2nd respondent in the cause list. The interest for the delay period is ordered to be waived.

04.08.2025

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