



WEB COPY



C.M.P. No. 11506 of 2023
in C.M.A.SR.No.9891 of 2023

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T.V. THAMILSELVI, J.

This Civil Miscellaneous Petition has been filed seeking to condone the delay of 31 days in filing the above Civil Miscellaneous Appeal against the award dated 30.09.2022 passed in M.C.O.P.No. 755 of 2016, on the file of Presiding Officer, Exclusive Motor Accident Claims Tribunal (Presiding Officer) at Tiruppur.

2. Mrs.R.Sree Vidhya, learned counsel for appellant submitted that after getting sanction from the competent authorities, the appeal papers forwarded by the Regional Office to the counsel on record, however, it was mixed up with other bundles and thereafter, after due search, it was traced out. Subsequently, the appeal was filed on 21.01.2023, as a result of which, there is a delay of 31 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.R.Nalliyappan, learned counsel for respondents 1 and 2 appeared and raised objections stating that no sufficient cause assigned for the delay.

4. Considering the facts and circumstances, and the reasons stated by the petitioner in the affidavit is justifiable one. Accordingly, 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.

30.07.2025

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