



WEB COPY



C.M.P. No. 11269 of 2025
in C.M.A.SR.No.68842 of 2025

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T.V. THAMILSELVI, J.

This Civil Miscellaneous Petition has been filed seeking to condone the delay of 178 days in filing the above Civil Miscellaneous Appeal against the order dated 04.07.2023 passed in M.C.O.P.No. 626 of 2019, on the file of Motor Accident Claims Tribunal, (Subordinate Judge), Poonamallee.

2. Mr.C.Prabakaran, 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 March 2025, he gave papers to him, as a result of which, there is a delay of 178 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 the sufficient reason was not 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. The interest for the delay period is ordered to be waived.

14.07.2025

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