



WEB COPY



C.M.P. No. 12417 of 2024
in C.M.A.SR.No.70177 of 2024

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T.V. THAMILSELVI, J.

This Civil Miscellaneous Petition has been filed seeking to condone the delay of 758 days in filing the above Civil Miscellaneous Appeal against the award dated 28.02.2020 passed in M.C.O.P.No. 47 of 2015, on the file of Motor Accident Claims Tribunal, Hosur.

2. Mr.PA. Sudesh Kumar, learned counsel for appellant submitted that due to unaware of proceedings as well as due to lack of communication, the appellant is not able to instruct counsel on record to prefer the above appeal and only during month of June 2024, he gave papers to him, as a result of which, there is a delay of 758 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. J.Chandran, learned counsel for 2nd respondent raised strong objections stating that no sufficient cause assigned for the delay. Hence, he prayed to dismiss this petition.

4. Considering the facts and circumstances, and the reasons stated by the petitioner in the affidavit seems to be 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.

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