



WEB COPY



C.M.P. No. 17150 of 2023
in C.M.A.SR.No.87864 of 2023

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T.V. THAMILSELVI, J.

This Civil Miscellaneous Petition has been filed seeking to condone the delay of 134 days in filing the above Civil Miscellaneous Appeal against the award dated 10.11.2022 passed in M.C.O.P.No. 273 of 2020, on the file of Motor Accident Claims Tribunal, Addl. District Judge, Hosur.

2. Mr.T.Raghavan, learned counsel for appellant submitted that after receipt of returned appeal bundle from the registry, appellant's erstwhile counsel misplaced the same, but they could not trace out the same. Hence, having no other option, the appellant instructed the counsel on record to prefer the fresh appeal during month of July 2023 and he gave papers to him, as a result of which, there is a delay of 134 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. 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.

07.07.2025

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