



WEB COPY



C.M.P. No. 3827 of 2024
in C.M.A.SR.No.118923 of 2023

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T.V. THAMILSELVI, J.

This Civil Miscellaneous Petition has been filed seeking to condone the delay of 155 days in filing the above Civil Miscellaneous Appeal against the award dated 19.12.2022 passed in M.C.O.P.No. 278 of 2018, on the file of Motor Accident Claims Tribunal, Tirupur.

2. Mrs.M.Malar, learned counsel for appellant submitted that due to financial constraints, the first appellant is not able to instruct counsel on record to prefer the above appeal and only during month of August 2023, she gave papers to him, as a result of which, there is a delay of 155 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.A.Vinothraj, learned counsel for 2nd respondent and Mr.S.Arunkumar, learned counsel for 5th respondent appeared and raised strong objections stating that the 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. The interest for the delay period is ordered to be waived.

30.07.2025

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