



C.M.P.No.4472 of 2026
in C.M.A.SR.No.19750 of 2026

A.D.JAGADISH CHANDIRA, J.

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This petition has been filed seeking to condone the delay of 258 days in filing the Civil Miscellaneous Appeal.

2. Learned counsel appearing for the petitioner/appellant submitted that the notice issued to R1, the driver of the insured vehicle, was returned with the endorsement 'no such person'. He further submitted that R1 remained ex parte before the Tribunal and no pay and recover was passed. Therefore, he prayed that notice to R1 may be dispensed with.

3. Ms.I.Malar, learned counsel, who takes notice for R2, submitted that no order of pay and recover was passed by the Tribunal, therefore, she has no objection to dispensing with service of notice on R1.

4. The reasons adduced in the affidavit filed in support of this petition being satisfactory, this Civil Miscellaneous Petition is ordered and consequently, the delay of 258 days in filing the appeal is condoned, subject to the condition that the claimants/petitioners will not be entitled to any interest for the delay period i.e., for 258 days, in the appeal.

19.06.2026

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Note: Registry is directed to number the Civil Miscellaneous Appeal, if it is, otherwise, in order and list the same for admission in due course.