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C.M.P.No.12488 of 2
in C.M.A.SR.No.41086 of 2025

R.KALAIMATHI, J.

Heard the learned counsel for the petitioner and the learned counsel for the second respondent.

2. The petitioner would aver that the award was passed on 11.01.2022 and that a copy of the same was received by him only during the second week of February 2022. Thereafter, the petitioner was unable to contact his counsel at Salem, as he could not continue his avocation as a driver due to the injuries sustained in the accident. Consequently, a delay of 1097 days has occurred in preferring the above Civil Miscellaneous Appeal.

3. The learned counsel for the second respondent has no serious objection to allowing the above petition.

4. However, considering the award amount was deposited on 26.07.2022 by way of cheque, the reasons stated in the petition cannot be wholly accepted, particularly when the award had been passed in January 2022.

5. Nevertheless, accepting the reasons stated in the accompanying affidavit filed in support of this petition for condonation of delay, this petition stands allowed on condition that the petitioner/claimant shall not be entitled to claim interest for the aforesaid period. Accordingly, the delay of 1097 days in filing the above appeal in C.M.A.SR.No.41086 of 2025 is hereby condoned.

6. Registry is directed to number the above C.M.A.SR.No.41086 of 2025 and post it for Admission in regular course, if the papers are otherwise in order.

24.04.2026

nvi