

P.C.Aboobacker Vs. Eandi Vasu

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SooperKanoon Citation : sooperkanoon.com/1012385

Court : Kerala

Decided On : Dec-31-2012

Judge : Honourable Mr.Justice V.Chitambaresh

Appellant : P.C.Aboobacker

Respondent : Eandi Vasu

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HONOURABLE MR.JUSTICE V.CHITAMBARESH MONDAY, THE 31ST DAY OF DECEMBER 2012 10TH POUSHA 193 OP (MACT).No. 3139 of 2012 (O) ----- OP(MV) 564/2006 of M.A.C.T. TIRUR PETITIONER(S): ----- P.C.ABOOBACKER S/O.MOIDEENKUTTY PALAKKAVALAPPIL CHERIYA OTTAYIL VEEDU KOOTTAYI POST, TIRUR TALUK, MALAPPURAM DISTRICT. BY ADV. SRI.C.M.MOHAMMED IQUABAL RESPONDENT(S): ----- 1. EANDI VASU S/O.KRISHNANKUTTY, PADINJAREKKARA P.O. PURATHUR AMSOM, TIRUR TALUK, MALAPPURAM DISTRICT.

2. SANDHA, W/O.EANDY VASU, PADINJAREKKARA P.O., PURATHUR AMSOM TIRUR TALUK, MALAPPURAM DISTRICT. R1,R2 BY ADV. SRI.P.VENUGOPAL (1086/92) THIS OP (MACT) HAVING BEEN FINALLY HEARD ON 31-12-2012, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: OP(MACT) NO. 3139/2012 APPENDIX PETITIONER(S) EXHIBITS EXT.P-1 THE TRUE COPY OF THE AWARD IN OP(MV) NO.564/06 DATED 12 05.11 OF THE

MOTOR ACCIDENTS CLAIMS TRIBUNAL, TIRUR. EXT.P-2 THE TRUE COPY OF THE AWARD IN OP (MV) NO.613/05 DATED 12 02.09 OF THE MOTOR ACCIDENTS CLAIMS TRIBUNAL, TIRUR. EXT.P-3 THE TRUE COPY OF THE EP NO.22/12 DATED 27 03.12 OF THE MOTOR ACCIDENTS CLAIMS TRIBUNAL, TIRUR. EXT.P-4 THE TRUE COPY OF THE AFFIDAVIT IN IA 3029/2012 IN OP(MV) 564/2006 OF THE MOTOR ACCIDENTS CLAIMS TRIBUNAL, TIRUR DATED 09 08.2012 EXT.P-5 THE TRUE COPY OF THE AFFIDAVIT IN IA 3030/2012 IN OP(MV) 564/2006 OF THE MOTOR ACCIDENTS CLAIMS TRIBUNAL, TIRUR DATED 09 08.2012 RESPONDENTS' EXHIBITS : NIL /TRUE COPY/ P.A. TO JUDGE. V. CHITAMBARESH, J
----- OP(M.A.C.T.) NO. 3139 OF

201.----- Dated this the 31st day of December, 2012
JUDGMENT The only prayer urged at the time of hearing is for an expeditious consideration of an application filed to set aside an ex-parte award supported by an application to condone delay and to defer the execution proceedings in the meanwhile.

2. I direct the Motor Accidents Claims Tribunal, Tirur to consider I.A. Nos. 3029/2012 and 3030/2012 in OP(MV) No. 564/2006 on its file within a period of two months from the date of receipt of a copy of this judgment. Further proceedings in E.P. No. 22/2012 in OP(MV) No. 564/2006 shall be put on hold till orders are passed on I.A. Nos. 3029/2012 and 3030/2012 as directed above within the time frame. The Original Petition is disposed of. V. CHITAMBARESH JUDGE
ncd

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