

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

113

CM Nos.26122 and 26123-CII of 2015 and
First Appeal Order No.8273 of 2015

Date of Decision: December 09, 2015

National Insurance Company Limited, Chandigarh

...Appellant

Versus

Deva @ Hardev Singh and another

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. D.P. Gupta, Advocate
for the applicant-appellant.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Prayer in CM No.26122-CII of 2015 is for condonation of
delay of 148 days in filing the appeal.

The reason which has been given for the delay is that the
movement of file from one office to the other and at different levels, apart
from that, it has been stated that the amount, which has been deposited with
the Commissioner was the actual amount of ₹1,39,453/- which is the
amount of compensation granted by the Court excluding the interest. Since
the interest has not been deposited, the appeal was not entertainable and,
therefore, after the deposit of the amount of interest, the present appeal has
been entertained, which has resulted in the delay of 148 days in filing the
appeal.

The explanation, as has been put forth in the application,
cannot be accepted to be a reasonable explanation for the delay, specially
when there is no justification as to why such a long time has been taken to

file the appeal. The application, on this ground, that the delay is not explained and the same is inordinate, stands dismissed.

In view of the above, the appeal is dismissed as time barred.

In the light of the dismissal of the appeal, the application for stay i.e. CM No.26123-CII of 2015, stands disposed of as infructuous.

December 09, 2015
Puneet

(AUGUSTINE GEORGE MASIH)
JUDGE