

**NAFR**

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MAC No. 461 of 2016**

Reliance General Insurance Company Limited , Through  
Its Legal Manager, Reliance General Insurance Company  
Limited, 5th Floor, National Corporate House Opposite  
Maruti Business Park, G.E.Road, Raipur, Chhattisgarh

**---- Petitioner**

**Versus**

1. Kamleshwar Gour S/o Late Bisaru Ram Gour, Aged About  
19 Years R/o Village Khairwahi, Post Latabod, P.S. &  
Tahsil Balod, District Durg, Chhattisgarh .....(Claimant)
2. Pratap Singh Sahu S/o Chintaram Sahu, Aged About 34  
Years R/o Village Khairwahi, Post Latabod, P.S. & Tahsil  
Balod, District Durg, Chhattisgarh .....(Owner-Cum-  
Driver)
3. Royal Sunderam Alliance Insurance Co. Ltd. Office 315,  
Arneja Corner, B Wing, I I I Floor, Sector 11, Wasinevy  
Mumbai (Maharashtra) 400709 .....(Insurer Of  
Tractor)

**---- Respondents**

---

For Petitioner : Mr. Sourabh Sharma, Advocate.

---

**Hon'ble Shri Justice Manindra Mohan Shrivastava**

**Order On Board**

**05/04/2016**

Heard on application for condonation of delay in filing  
appeal.

1. The appeal has been filed by the appellant aggrieved by  
the award which was passed on 29.01.2011.
2. Learned counsel for the appellant argued to convince the  
Court that there is sufficient cause shown for condonation of delay  
in filing appeal. He submits that the delay occurred due to official  
communication.
3. In the present appeal, the impugned order was passed by

the Tribunal way back on 29.01.2011. The petitioner is an Insurance Company. Though it cannot be denied that some time may have been consumed in official communication, there is no explanation offered by the appellant company to condone such a long delay of almost 5 years. It is also seen that the Insurance Company has sought exoneration on the ground that the injured was a gratuitous passenger. A perusal of the award shows that very small amount of compensation has been awarded to the injured.

4. Taking into consideration the aforesaid aspect of the matter, particularly that the delay is very long and very small amount is involved in the matter, the application for condonation of delay is dismissed and consequently the appeal is also dismissed as barred by limitation.

Sd/-  
**(Manindra Mohan Shrivastava)**  
**J U D G E**

Rekha