

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

FAO No.6637 of 2017 (O&M)
Date of Decision: 09.10.2017

National Insurance Company Limited

... Appellant

Versus

Baljeet Singh and others

... Respondents

CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. R.C. Gupta, Advocate and
Mr. Inderjeet Sharma, Advocate,
for the appellant.

RAJIV NARAIN RAINA, J.(Oral)

There is a delay of 56 days in presenting this appeal by the National Insurance Company Limited and the explanation has been given in para.2 which reads as follows:-

“2. That, after passing of the impugned award on 10.04.2017 the copy of the award was received by the Counsel on 01.05.2017. Thereafter he examined the matter and submitted the same with his opinion to the Claims Hub at Ludhiana in the first week of May 2017. The file was however mixed up in the records and could be traced by them in the end of August 2017. the Claims Hub thereafter examined the file and placed the matter before competent authority who approved the filing of appeal in the first Week of September 2017 and sent the file to the Regional office at Chandigarh for filing the appeal. Mandatory draft of Rs.25000/- was prepared on 20.09.2017 and file handed over to the Counsel at Chandigarh on 21.09.2017 who is now filing the appeal with delay of 56 days which is neither deliberate nor intentional but due to the reasons mentioned aforesaid.”

I find hardly any reason or sufficient cause by way of proper

explanation for the delay and, therefore, the criteria in Section 5 of the Limitation Act is not met in this case.

Accordingly, the appeal is dismissed.

09.10.2017
manju

(RAJIV NARAIN RAINA)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>