

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

FAO No.7244 of 2017 (O&M)
Date of Decision: 06.11.2017

IFFICO TOKIO General Insurance
Company Limited

... Appellant

Versus

Kusum Lata and others

... Respondents

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

Present: Mr. Yogesh Gupta, Advocate,
for the appellant.

RAJIV NARAIN RAINA, J.(Oral)

CM No.23533-CII of 2017

This is an application filed under Section 5 of the Limitation Act, duly supported by an affidavit, praying for leave to condone the delay of 91 days in filing the appeal. In the application, following grounds have been set out in paragraph Nos.2 & 3:

“2. That the certified copy of the impugned order dated 1.5.2017 was applied on 2.5.2017 and was prepared on 4.5.2017 and was delivered on 6.5.2017 to the concerned panel counsel of Applicant and he after its receipt sent the same along with his legal opinion to the concerned authority of Applicant based at New Delhi.

3. That the concerned authority of Applicant based at New Delhi after receipt of the certified copy of impugned order and legal opinion found the impugned order fit for challenge thereof in Appeal and thereafter, the file had to go through different channels before final approval could be granted for filing the appeal. After, receiving final

approval from the concerned authority, all relevant documents were forwarded to the panel counsel at Chandigarh for drafting Appeal and thereafter, draft Appeal as submitted by counsel was duly approved by the concerned authority of Applicant based at New Delhi and further sent thereof to the counsel at Chandigarh for filing the same.”

The aforesaid general and vague averments contained in the application without any precision do not constitute sufficient cause in Section 5 to condone the delay.

The application is dismissed.

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As a result of the dismissal of the application for condonation of delay, appeal suffered the same fate.

The appeal is dismissed.

**(RAJIV NARAIN RAINA)
JUDGE**

06.11.2017

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Whether speaking/reasoned Yes/No

Whether reportable Yes/No