

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

FAO No.2612 of 2015 (O&M)

Date of decision: 06.12.2018

Reliance General Insurance Company Ltd.

... Appellant

Versus

Smt. Sumitra and others

... Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present : Mr. Subhash Goyal, Advocate
for the appellant.

REKHA MITTAL, J. (Oral)

The appellant insurance company has filed the appeal to assail award of compensation in respect of death of Parmod in a motor vehicular accident that took place on 30.07.2010.

Alongwith the appeal, applications CM Nos.7898-CII 2015 and 7899-CII 2015 have been filed for condonation of delay of 10 days in refiling and 370 days in filing the appeal, respectively.

Counsel for the applicant-appellant would submit that delay in filing the appeal is not intentional much less malafide. The Court needs to adopt liberal and non-pendantic approach while dealing with the question of condonation of delay.

When the facts and circumstances of the present case are examined in the light of judgment of this Court in FAO No.4740 of 2016

decided on 17.10.2016 titled “Bharti Axa General Insurance Company Limited vs. Ram Parshad and others” alongwith connected cases, there is no sufficient cause for condoning huge delay of more than one year. As a consequence, application for condonation of delay in filing the appeal is liable to be dismissed and ordered accordingly. As application for condonation of delay has been dismissed, the appeal is dismissed being barred by limitation. In view of the above, application for condonation of delay in refiling is of academic relevance only.

No order as to costs.

06.12.2018

ashok

(REKHA MITTAL)
JUDGE

Whether speaking/reasoned:	Yes / No
Whether reportable:	Yes / No