

**CM-4338-CII-2018 in/and
FAO No. 1244 of 2018**

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

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**CM-4338-CII-2018 in/and
FAO No. 1244 of 2018 (O&M)
Date of Decision : 28.2.2018**

New India Assurance Co. Ltd. Kaithal Branch

....Appellant

VS

Dewanti Devi and others

....Respondents

CORAM: HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. Rajneesh Malhotra, Advocate and
Ms. Vandana Malhotra, Advocate
for the appellant.

AJAY TEWARI, J.(Oral)

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This is an application for condonation of 50 days delay. The ground taken is that the copy of the order dated 31.10.2017 was applied on 17.11.2017 (i.e. after 16 days) and the same was prepared on 28.11.2017. The local office sent the copy of the order alongwith the file to the Regional office for seeking opinion for filing an appeal and ultimately after it was decided to file an appeal the cheque for pre-deposit was deposited on 8.1.2018. After the deposit the file was sent to the head office with the recommendation for filing an appeal. In the first place, there is no explanation why the copy was applied after 16

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days, thereafter there is no explanation why it took two and a half months in preparing and depositing the cheque. Once that was done it was obvious that an appeal had to be filed yet even after the deposit of the cheque the appeal was filed after 23 days.

In view of the facts and circumstances, the application stands dismissed.

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The appeal stands dismissed being barred by delay and latches.

Since the main case has been decided, the pending C.M, if any, also stand disposed of.

**28.2.2018
anuradha**

**(AJAY TEWARI)
JUDGE**

Whether speaking/reasoned	-	Yes/No
Whether reportable	-	Yes/No