

C.M.P.No.13087 of 2018 in C.M.A.No.SR7019 of 2018

T.RAJA, J.

M/s Reliance General Insurance Company Limited has come to this Court seeking to condone the delay of 116 days in filing the appeal against the award passed in E.C.No.528 of 2014 by the Commissioner for Workmen's Compensation, Deputy Commissioner of Labour, Salem dated 2.8.2017.

2. Learned counsel for the petitioner submitted that since the Deputy Commissioner of Labour, Salem has overlooked the vital fact that no premium was paid to the additional driver, inasmuch as the injured claimant was only an additional driver, the appeal has been filed with the delay. As the petitioner is a public sector institution, they have to follow certain procedures and only in that process, the delay has occurred. Therefore, the delay of 116 days in filing the appeal may be condoned. The learned counsel also stated that the entire compensation amount has been deposited.

3. But this Court is unable to find any merit or sufficient cause to condone the delay. When the petitioner is a public sector undertaking, they are having a panel of counsels to advise them in respect of filing appeal against any order. When they have got a panel of counsels, they cannot unnecessarily come to this Court with a lame excuse that in the process of coordination between various

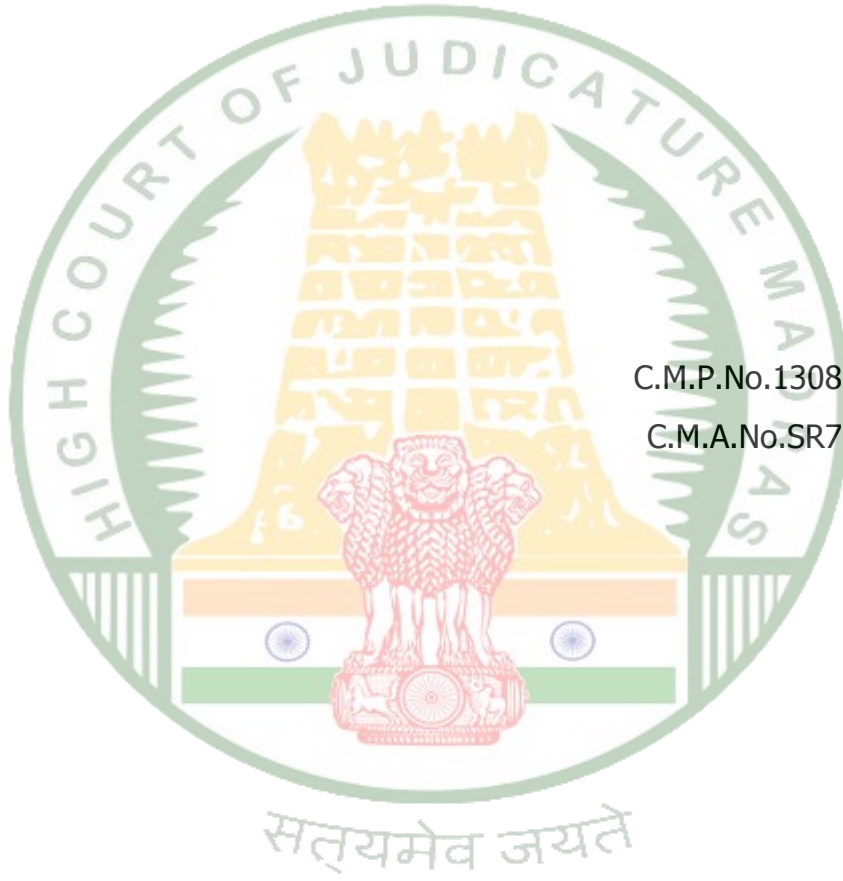
departments, the delay has occurred. When most of the departments are sincerely prosecuting their cases before various Courts, the lack of coordination as the cause for delay in this case, is highly unacceptable by this Court. Accordingly, the civil miscellaneous petition stands dismissed finding no sufficient cause. The injured claimant is entitled to withdraw the entire amount of compensation deposited.

16.07.2019

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