

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

FAO No. 6829 of 2015(O&M)

Date of Decision: December 06 , 2019.

Harbans Singh

..... APPELLANT(s)

Versus

National Insurance Company Ltd. and others

..... RESPONDENT (s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Rajiv Malhotra, Advocate
for the appellant.

Mr. Paul S.Saini, Advocate
for respondent No.1-Insurance company.

LISA GILL, J.

CM No.21301-CII of 2015

There is a delay of 477 days in filing of the appeal.

It is submitted that delay in filing of the appeal is not intentional or due to any negligence on the part of the applicant/appellant, who is owner of the offending vehicle. The applicant was under a bonafide belief that the claim would be settled by the insurance company. The applicant, it is submitted, has nothing to gain by delay in filing of the appeal. It is thus prayed that this application be allowed.

Learned counsel for respondent No.3 while opposing the application, submits that no reasons have been set-forth for condoning the huge delay in filing of the appeal. Dismissal of the application is prayed for.

Heard learned counsel for the parties.

Keeping in view the facts and circumstances of the case as well as

FAO No. 6829 of 2015(O&M)

-2-

arguments addressed, it is considered just and expedient to condone the delay of 477 days in filing of the appeal and decide the same on merits, rather than dismiss the appeal on a technical consideration of delay.

Application is accordingly allowed. Delay in filing of the appeal is condoned.

FAO No.6829 of 2015(O&M)

For orders, see FAO No.9316 of 2014 (Mandeep Kaur and others v. Avtar Singh and others) decided vide separate order of even date.

December 06 , 2019.
'om'

**(LISA GILL)
JUDGE**

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