

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

MAC No. 914 of 2014

Anita Beck **Versus** Laxman Ram & Ors.

19/08/2020	Mr. A.K. Prasad, Advocate for the appellant. Mr. J.K. Saxena, Advocate for respondent No.2. Mr. R. Pusty, Advocate for respondent No.5. Mr. S.S. Rajput, Advocate for respondent No.6. Heard on I.A. No.1/2014, an application for condoning delay in preferring this appeal. Learned counsel for the appellant submits that the appellant being poor & rustic villagers had no knowledge about the limitation period and even her financial condition was also not so good as she has lost her sole breadwinner in the accident in question, therefore, she could not prefer the appeal in time. He further submits that the Motor Vehicles Act, 1988 is a beneficial piece of legislation, therefore, technicalities of limitation should not come in the way of the appellant for getting just compensation. He prays that the delay in filing this appeal be condoned and the matter may be heard on merits. Learned Counsel for the respondent No.5 has opposed the application on the ground that the appellant

failed to make out sufficient cause for condoning inordinate delay of 877 days in filing this appeal.

Considering the grounds mentioned in the application for condoning the delay in filing this appeal and keeping in the mind that the Motor Vehicles Act, 1988 is a beneficial piece of legislation enacted with the object that every legal representative, who suffers on account of death of a person due to motor vehicle accident, must have a remedy for realization of just compensation, we are of the considered view that the delay in preferring this appeal deserves to be condoned. Accordingly, I.A. No.1/2014 is allowed and delay in filing this appeal is condoned.

With the consent of the parties, the matter is heard finally.

Order passed separately. Signed and dated.

Sd/-
(P.R. Ramachandra Menon)
Chief Justice

Sd/-
(Parth Prateem Sahu)
Judge