

06.04.2022
SL No.6
Court No.8
(gc)

FMAT 201 of 2017
With
CAN 1 of 2017
(Old No: CAN 2441 of 2017)
with
CAN 2 of 2017
(Old No: CAN 2442 of 2017)

ICICI Lombard General Insurance Co. Ltd.
Vs.
Ejaz Ahmed Khan @ Ahmed Khan Ejaz & Anr.

The appellant is not represented, nor any accommodation is prayed for even in the second call.

It appears from the report of the Additional Stamp Reporter dated 27th February, 2017 that there is a delay of 8 days in preferring the memorandum of appeal.

Since we are of the view that the appellant is not interested to proceed with the appeal and the applications, the application for condonation of delay being CAN 2441 of 2017 stands dismissed for default.

In view of dismissal of the application for condonation of delay on default, the appeal and the application for stay cannot survive, as they are time-barred unless the application for condonation of delay is allowed.

Hence, the appeal being FMAT 201 of 2017 and the application being CAN 2442 of 2017 stand dismissed as time barred.

This order shall immediately be communicated to the learned Commissioner, Employees' Compensation, First Court, Kolkata, West Bengal in claim case no.408 of 2007.

The learned Registrar Administration (L&OM) shall ensure the communication of this order to the said learned Commissioner.

(Ajoy Kumar Mukherjee, J.)

(Soumen Sen, J.)