

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**MACA No.142 of 2018**

***Babaji Bhoi and Others***

....

***Appellants***

Mr. K.C. Nayak, Advocate

*-versus-*

***Rashmirekha Das and Another***

....

***Respondents***

Mr. R.K. Rath, counsel for Respondent No.2

**CORAM:**

**SHRI JUSTICE B. P. ROUTRAY**

**ORDER**  
**29.11.2022**

**Order No.**

**I.A. No.223 of 2018 & MACA No.142 of 2018**

- 04.
1. The matter is taken up through hybrid mode.
  2. Mr. R.R. Mohanty and Associates enters appearance for insurer – Respondent No.2. Their names be indicated in the list as well as on the brief.
  3. Heard Mr. K.C. Nayak, learned counsel for the claimant – Appellants and Mr. R.K. Rath, learned counsel for insurer – Respondent No.2.
  4. The appeal has been filed with delay of 323 days.
  5. It is submitted that due to want of fund, the Appellants could not be able to file the appeal in time. Mr. Nayak, learned counsel for the Appellants concedes that they have already received the compensation amount granted by the tribunal along with interest in due time. Therefore, such an explanation offered by the claimant –

Appellants is not found satisfactory to condone the delay. Accordingly, this court is not inclined to condone the limitation. The I.A. is dismissed.

6. Resultantly, the appeal is also dismissed on the ground of limitation.

**( B.P. Routray )**  
**Judge**

M.K.Panda

