

IN THE HIGH COURT OF ORISSA AT CUTTACK

MACA No.33 of 2020

New India Assurance Company Ltd. ***Appellant***

Mr. Prasanta Kumar Mishra (1), Advocate

-versus-

Jema Gagarai and Others ***Respondents***

Mr. Satya Bhusan Das, counsel for Respondents 1-7

CORAM:

SHRI JUSTICE B. P. ROUTRAY

ORDER

8.3.2022

Order No.

I.A. No.151 of 2020 & MACA No.33 of 2020

- 04.
1. Heard Mr. P.K. Mishra (1), learned counsel for the Appellant and Mr. S.B. Das, learned counsel for claimant – Respondents 1 to 7.
 2. The impugned judgment is dated 27th December, 2018 and the appeal was filed on 20th January, 2020, i.e. with 300 days delay after the statutory period.
 3. Mr. Mishra submits on behalf of the Appellant that due to procedural complexity in official process, the delay has been occurred in filing the appeal.
 4. Upon perusal of the petition, it is seen that the Divisional Office sent the file to the Regional Office on 22nd February, 2019 and the Regional Office in the letter dated 13th January, 2020 instructed the Divisional Office to prefer the appeal and consequently the appeal was filed on 20th January, 2020. Apparently no reason has been explained for keeping the file at Regional Office for the period from 22nd February, 2019 to 13th January, 2020. As such, the reasons for delay are found unsatisfactory and the prayer for condonation of delay is rejected.

5. The I.A. is dismissed.
6. Consequently, the appeal is dismissed on the ground of limitation.
7. An urgent certified copy of this order be issued as per rules.

(B.P. Routray)
Judge

M.K.Panda

