

IN THE HIGH COURT OF ORISSA AT CUTTACK

MACA No.683 of 2016

***The New India Assurance Company
Ltd., through its Divisional Manager*** ***Appellant***

Mr. S.S. Rao, Advocate

-versus-

Purna Chandra Sahoo and Others ***Respondents***

Mr. P.B. Sinha, counsel for Respondent No.1

**CORAM:
SHRI JUSTICE B. P. ROUTRAY**

**ORDER
25.11.2022**

Order No.

Misc. Case No.1118 of 2016 & MACA No.683 of 2016

10. 1. The matter is taken up through hybrid mode.
2. Heard Mr. S.S. Rao, learned counsel for the insurer – Appellant and Mr. P.B. Sinha, learned counsel for claimant - Respondent No.1.
3. There is delay of 439 days in filing the appeal.
4. The reason explained is that, conducting counsel did not intimate the Appellant in time and therefore, the Appellant was unaware of the order passed by the tribunal. This explanation offered by the Appellant is not found satisfactory in absence of any statements made regarding steps taken against the conducting counsel for not intimating the Appellant in time. This is a very common excuse taken in many cases.

5. The explanation for delay being found unsatisfactory, this court is not inclined to condone the limitation. Accordingly the Misc. Case is dismissed.

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

7. The statutory deposit made by the Appellant before this court with accrued interest be refunded to the Appellant on proper application.

M.K.Panda



(B.P. Routray)
Judge