

IN THE HIGH COURT OF ORISSA AT CUTTACK
MACA No.1027 of 2018

***The Divisional Manager, Oriental
Insurance Company Ltd.***

.... ***Appellant***

Mr. G.P. Dutta, Advocate

-versus-

Smt. Manasa Dakua and Others

.... ***Respondents***

Ms. T. Sinha, Legal Aid Counsel for Respondents 1-4

Mr. S.K. Baral, counsel for Respondents 1-4

CORAM:

SHRI JUSTICE B. P. ROUTRAY

ORDER

30.8.2022

Order No.

I.A. No.247 of 2019 & MACA 1027 of 2018

10. 1. The matter is taken up through hybrid mode.
2. Heard Mr. G.P. Dutta, learned counsel for the Appellant and
 Ms. T. Sinha, learned Legal Aid Counsel as well as Mr. S.K. Baral,
 learned counsel for claimant – Respondents 1-4.
3. There is delay of 364 days in preferring the appeal. As per
 submission of Mr. Dutta, learned counsel for the Appellant that the
 delay mostly happened due to cessation of court work by the learned
 Members of High Court Bar Association for which the appeal could
 not be filed in time.
4. Upon hearing learned counsels for claimant – Respondents it is
 found that such submission that entire cause of delay was due to
 cessation of court work by the learned Bar Members is not correct.
 There are certain periods when cessation of court work continued but
 as the impugned award was passed on 25th July, 2017 and the

cessation work started during June, 2018, as such the explanation given in the petition for condoning the delay is not found satisfactory and this court is not inclined to condone the delay.

5. In the result the I.A. is dismissed. Consequently, the appeal is dismissed on the ground of limitation.

6. The statutory amount deposited by the Appellant before this court be refunded to the insurer – Appellant on proper application.

M.K.Panda



(B.P. Routray)
Judge