

IN THE HIGH COURT OF ORISSA AT CUTTACK

MACA No.522 of 2016

The Divisional Manager, The Oriental Insurance Company Limited ***Appellant***

Mr. M.C. Nayak, Advocate

-versus-

Smt. Binapani Barik and others ***Respondents***

Mr. P.K. Behera, Advocate for Respondent Nos.1 to 4

CORAM:

JUSTICE B. P. ROUTRAY

ORDER
29.09.2022

Order No.

I.A. No.678 of 2020 and MACA No.522 of 2016

- 07.
1. Heard Mr. M.C. Nayak, learned counsel for the Appellant-Insurance Company as well as Mr. P.K. Behera, learned counsel for the Respondent Nos.1 to 4-claimants.
 2. There is delay of 478 days in filing the appeal.
 3. Mr. M.C.Nayak, learned counsel for the Appellant-Insurance Company submits that the main reason of delay is due to the investigator appointed by the Company, who submitted its report after 16 months.
 4. Upon hearing both the parties, the reasons assigned by the Company to condone the delay are not found satisfactory as the investigator has conducted the investigation on behalf of the Company after passing of the award.

5. Accordingly, this Court is not inclined to condone the delay.

6. The I.A. is dismissed. Consequently the appeal is dismissed on the ground of limitation.

7. The statutory deposit made before this Court with accrued interest thereon shall be refunded to the Appellant-Insurance Company on proper application.

(B.P. Routray)
Judge

