

IN THE HIGH COURT OF ORISSA AT CUTTACK

MACA No.787 of 2016

The Sr. Divisional Manager, National Insurance Co. Ltd. ***Appellant***

Mr. P. Sinha, Advocate

-versus-

Rashmi Gouda and others ***Respondents***

Mr. B. Jalli, Advocate for Respondent No.1

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

**ORDER
20.07.2022**

Order No.

M.C. No.1331 of 2016 and MACA No.787 of 2016

- 07.
1. Heard Mr. P. Sinha, learned counsel for the Appellant-Insurance Company as well as Mr. B. Jalli, learned counsel for the Respondent No.1-claimant.
 2. There is delay of 378 days in filing the appeal.
 3. It is explained in the petition that the delay is mostly occurred due to delay in getting the certified copies of the depositions from the concerned conducting counsel and also in getting report of enquiry from the surveyor.
 4. This Court fails to conceive such grounds as sufficient cause since after delivery of the award by the learned Tribunal, the enquiry report of the surveyor has no meaning.

5. The grounds taken in the limitation petition being unsatisfactory, this Court is not inclined to condone the delay.

6. The misc. case 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

