

S/L 8
13.05.2026
Court. No. 5
sourav

**CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI**

**FMAT (MV) 120 of 2024
With
CAN 1 of 2025**

**The Oriental Insurance Company Limited
Vs.
Smt. Bhalo Das & Ors.**

Mr. Bipul Ranjan Bhattacharjee

...for the appellant.

1. The appellant, the Oriental Insurance Company Limited has filed the present appeal being aggrieved and dissatisfied with the award passed by the learned Motor Accident Claims Tribunal, Fast Track Court, Cooch Behar in MACC No. 39 of 2019 dated September 19, 2024.
2. When the appeal was filed, the Stamp Reporter has submitted the report that there is a delay of 18 days in filing the present appeal. Accordingly, learned counsel for the appellant prays for time to file appropriate application for condoning the delay for preferring an appeal.
3. This Court has granted two weeks time to the petitioner for taking appropriate steps for filing an application for condoning the delay. The matter was taken up for hearing on March 18, 2026, the appellant has not filed any application and on the prayer of the appellant, the matter was adjourned. Again on April 16, 2026, the matter was taken up for hearing, the learned counsel for the appellant has prayed for time. As per the submission made by

the learned counsel for the appellant, the case was adjourned. The matter was again listed on April 27, 2026 and the learned counsel for the appellant again prayed for time and the matter was adjourned.

4. The matter is listed today. When the matter is taken up for hearing, the learned counsel for the appellant prays for time for placing the matter before the next available Circuit Bench.
5. This Court finds that at the time of the filing of the instant appeal the office has noticed that the appeal filed by the appellant is barred by limitation of 18 days. Time and again for the last more than one year, the appellant is taking time to take steps but no application is filed for condoning delay. Accordingly, this Court finds that the appellant only kills the time and to avoid for making the payment in terms of the award passed by the learned Motor Accident Claims Tribunal, filed the present appeal which is barred by limitation.
6. Accordingly, the present appeal being **FMAT (MV) 120 of 2024** along with **CAN 1 of 2025** is dismissed as barred by limitation.

(Krishna Rao, J.)