

HIGH COURT OF CHHATTISGARH, BILASPUR

ORDER SHEET

MA No. 15 of 2009

The Regional Director Employees State Insurance Corpn.
Versus Beekay Surgicals

02.12.2020	Shri Azad Siddique, counsel for the appellant. Shri Saurabh Sahu, Advocate appears on behalf of Shri Rajeev Shrivastava, counsel for the respondent. Heard on I.A.No.1/2019, an application for condonation of 187 days' delay in filing this appeal (wrongly calculated by office as 287 days'). Learned counsel for the appellant submits that an application was made on 14.3.2008 for obtaining the certified copy of the order impugned as well as the decree required to be framed by virtue of the Rule 38 of Chhattisgarh Employees Insurance Court Rules, 1963. It is submitted further that although the copy of the order was supplied, but the copy of decree has not been supplied. The said fact is reflected from the application which is marked as document No.1 made on 14.1.2009, whereby it is revealed that on 12.10.2008, an application was made before the E.S.I. Court, Durg for obtaining the copy of the decree, but it was informed by the counsel for the appellant that the decree has not been drawn in the said matter and whenever the copy of decree shall be obtained, it will be supplied. It is, therefore, submitted that the delay as occurred in filing this appeal, was bonafide and there was no malafide intention behind it and prays for condonation of delay in filing this appeal.
------------	---

No reply has been filed with regard to the said application.

On due consideration of the reasons assigned in the application, which is duly supported by an affidavit, I am inclined to allow the same.

Accordingly, the application (I.A.No.1/2009) is allowed and delay of 187 days' in filing the appeal is hereby condoned.

I.A.No.1/2009, thus, stands disposed of.

Post this matter for admission in the month of January, 2021.

Sd/

(Sanjay S. Agrawal)
JUDGE