

IN THE HIGH COURT OF JHARKHAND AT RANCHI
M.A. No. 15 of 2019

Magma HDI General Insurance Co. Ltd., Kolkata

.... Appellant

Versus

Anju Devi & Ors.

.... Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Appellant : None

For the Respondents : None

Order No.04 Dated- 09.01.2023

I.A. No.1627 of 2019

No one turns up on behalf of the parties in-spite of repeated calls.

Perusal of the record reveals that this interlocutory application has been filed with a prayer to condone the delay of 7 days in filing this appeal.

Perusal of the interlocutory application reveals that after receipt of the certified copy of the impugned order by the counsel conducting the case on behalf of the appellant gave his opinion to the concerned Branch for filing of the appeal and the regional office of the appellant sent the file for obtaining legal opinion from its counsel which resulted in delay in filing the appeal. It is then averred in the petition that the appellant has very good grounds to agitate in this appeal and the delay was neither intentional nor deliberate and unless the delay of 7 days is condoned, the appellant will be highly prejudiced.

Considering the aforesaid facts, the delay of 7 days in filing this appeal is condoned.

This interlocutory application stands disposed of accordingly.

(Anil Kumar Choudhary, J.)

M.A. No. 15 of 2019

Perusal of the record reveals that notice issued to the respondent no.5 has returned with the report that the respondent no.5 has died

since long but no prayer for substitution has been made as yet.

Hence, this appeal abates against the respondent no.5

This appeal will be heard.

Admit.

Issue notice to the respondent nos.1 to 4 and 6.

The appellant is directed to file requisites for service of notice on the respondent nos.1 to 4 and 6 by registered post with A/D as well as under ordinary process within four weeks failing which; this appeal shall stand dismissed without further reference to the Bench.

Rule is made returnable within six weeks.

List this appeal after receipt of the service report of the notice issued to the respondent nos.1 to 4 and 6.

Lower Court Records has already been received.

Sonu-Gunjan/-

(Anil Kumar Choudhary, J.)