

IN THE HIGH COURT OF JHARKHAND AT RANCHI
M.A. No. 17 of 2020

The Future Generali India Insurance Co. Ltd.

.... Appellant

Versus

Sukesh Kumar Chaubey & Ors. Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Appellants : Mr. Ashutosh Anand, Advocate

: Ms. Rishi Bharti, Advocate

For the Resp. No.4 : Mr. Pratyush Kumar, Advocate

Order No.07 Dated- 23.08.2023

I.A. No.1755 of 2020

This interlocutory application has been filed with a prayer to condone the delay of 411 days in filing this appeal.

It is submitted by the learned counsel for the appellant that the conducting advocate at Garhwa handed over the case to the local office at Ranchi of the appellant and the concerned official tendered his resignation and accordingly, the officer at Kolkata was deputed to look after the Jharkhand region, which resulted in delay in taking the decision for filing this appeal, hence the delay occurred. It is further submitted by the learned counsel for the appellant 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 411 days is condoned, the appellant will be highly prejudiced.

The learned counsel for the respondent no.4 has no objection to the prayer for condoning the delay in filing this appeal and even though notice has been validly served upon the other respondents, no one turns up on behalf of the other respondents' in-spice of repeated calls.

Considering the aforesaid facts, the delay of 411 days in filing this appeal is condoned.

This interlocutory application stands disposed of accordingly.

(Anil Kumar Choudhary, J.)

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This appeal will be heard.

Admit.

Call for the Lower Court Records.

Mr. Pratyush Kumar, Advocate receives notice of the appeal on behalf of the respondent no.4.

Issue notice to the respondent nos. 1 to 3.

The appellant is directed to file requisites for service of notice on the respondent nos. 1 to 3 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 3.