IN THE HIGH COURT OF JHARKHAND AT RANCHI
M.A. No. 659 of 2017

Branch Manager, Oriental Insurance Co. Ltd., Jage Shanti Market Complex, Netaji Subash Road, P.O and P.S. Deoghar PIN 814112, at present Oriental Insurance Co. Ltd., Dumka, District Dumka, Jharkhand

… … ... Appellant

Versus

1. Poya Paharin, wife of Late Bijay Paharia, resident of Village Malipara, P.O and P.S. Amrapara, District Pakur
2. Gayanand Jha, son of Mohnanad Jha, resident of Village, P.O and P.S. Jarmundi, District Dumka (Owner) … ... Respondents

----

CORAM: HON'BLE THE CHIEF JUSTICE

For the Appellant: Mr Alok Lal, Advocate
For the Resp. No. 2: Mr Arvind Kumar Lall, Advocate
Md Asadul Haque, Advocate
Ms. D. Arati Kumar, Advocate

Order No. 06/Dated: 17.04.2026

I.A. No. 8924 of 2017

1. This I.A. seeks condonation of delay of 162 days in instituting this appeal. The only reason set out in this application is that the matter was referred to the Patna Regional Office for obtaining sanction from the competent authority. The Patna Regional Office sent the case papers / files for obtaining legal opinion from its Panel Counsel. After obtaining opinion, the matter was again referred to the Patna Regional Office. The Regional Office issued sanction and the appeal was filed after delay of 165 days, now the office says that the delay is 162 days.

2. Apart from the above reasons, no other reasons are set out in this application seeking condonation of delay. The averments are completely vague. There is no reference to the dates on which the matters were referred to Patna, by the Patna Office to the panel counsel and by the panel counsel back to the Patna Office. Not even the date on which sanction was granted to file the appeal, is quoted. There is utmost casualness in seeking condonation of delay.

3. In the case of **Postmaster General and others v. Living Media India Limited and another [(2012) 3 SCC 563**], the Hon'ble Supreme Court has held that the condonation of delay is an exception and should not be used as an anticipated benefits that by offering usual explanation, delay will be routinely condoned. There is no sufficient cause shown for condonation of the delay. Besides, the Insurance Company has not acted very fairly in this matter. This appeal was instituted after the delay in the year 2017. On 06.03.2018, notices were issued to the respondents and direction was made to the Executing Court not to disburse the awarded amount to the claimant who is incidentally a widow of a labourer who died in the accident, till further orders.

4. From 2018 onwards, service has not been complete on the owner of the offending vehicle. Every time, the matter is being adjourned on account of incomplete service.

5. Therefore, once the interim relief was obtained, there was no urgency for this appellant to effect service. As a result, the compensation amount, has, till date, not been disbursed to the widow of the labourer who died in the accident.

6. In any event, since no sufficient cause has been shown, the I.A. seeking condonation of delay is dismissed.

7. As a consequence, the accompanying appeal is also dismissed. The interim order made is vacated. The Executing Court or the Tribunal, is directed to immediately disburse the deposited amount together with interest that would have accrued thereon, to the claimant. Such disbursal should be through regular banking channel. Learned counsel for the claimant states that identity and bank details will be supplied to the Executing Court / Tribunal at the earliest and the Tribunal must, transfer

the amount together with interest into the claimant's bank account expeditiously.

7. Upon proof of disbursal, the Registry of this Court shall return the statutory amount deposited by the Insurance Company in this Court together with interest, if any, that would have accrued on such amount, to the Insurance Company.

(M. S. Sonak, C.J.)

April 17, 2026
Ranjeet/R.Kr./Cp.2
NAFR
Uploaded on 18.04.2026