

**IN THE HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR**

CM(6399/2025) IN
FAO(D) 6/2025

BAJAJ ALLIANZ GENERAL INSURANCE
COMPANY LIMITED

...Petitioner/Appellant(s)

Through: Mr.Imtiyaz Ahmad, Advocate

Vs.

INSHA TRADERS AND ANR.

...Respondent(s)

Through: None

CORAM:

**HON'BLE MR. JUSTICE SANJEEV KUMAR, JUDGE
HON'BLE MR. JUSTICE SANJAY PARIHAR, JUDGE**

ORDER
06.05.2026

CM(6399/2025)

1. This is an application seeking condonation of delay of 2116 days in filing an appeal against an order and judgment dated 24.10.2019 passed by J&K State Disputes Redressal Commission at Srinagar ["the Commission"] in complaint No. 31/2007 titled ***"Insha Traders Vs. Divisional Manager Bajaj Allianz General Insurance Company Ltd. and Anr."***
2. On being put on notice, respondent No. 1, the only contesting respondent has chosen not to appear and contest this application.
3. The delay in filing the appeal is sought to be explained by the appellant by submitting that immediately prior to the passing of order sought to be challenged in appeal there was un-rest in the

valley on account of abrogation of Article 370 of Constitution of India in August 2019.

4. It is submitted that because of the un-rest and other developments like promulgation of J&K Re-organization Act, 2019, the State Commission which has passed the order remained closed for indefinite period. There was also an intervention made by Covid-19, as a result thereof, the functioning of the Commission remained suspended.
5. It is further submitted that the Company or its counsel could not get the information with regard to the disposal of the complaint in terms of judgment dated 24.10.2019, and, as a matter of fact the complainant who had obtained the award in his favour also did not take any steps for filing the execution proceedings for long, probably, because he too was not aware of the judgment passed by the Commission. There is no contest to the averments made in the application.
6. In view of the aforesaid, and in the absence of controversion of the averments made in the application, this application is allowed. The delay of 2116 days in filing the appeal is condoned subject to deposit of Rs. 5000/- as costs with the Litigants Welfare Fund.
7. Application stands disposed of.

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1. Heard.
2. Admit.
3. Issue notice to the respondents returnable within a period of four weeks.

4. Requisite for service within a period of two weeks.
5. List on 7th July 2026.
6. In the meantime, subject to objections from otherside and till next date of hearing before the Bench, there shall be stay of the effect and operation of the award impugned subject to deposit of 50% of the award amount in the Registry of this Court.

(SANJAY PARIHAR)
JUDGE

(SANJEEV KUMAR)
JUDGE

SRINAGAR:

06.05.2026

"S. Nuzhat"