



IN THE HIGH COURT OF ORISSA AT CUTTACK
MACA No. 47 of 2025

D.M., National Insurance Co. ... ***Appellant***
Ltd., Cuttack

Mr. P.K. Mahali, Advocate

-versus-

Sasmita Panda & Others ... ***Respondents***

Mr. P.K. Behera, Advocate (R-1 & 2)

CORAM:
JUSTICE G. SATAPATHY

ORDER(ORAL)
06.02.2026

MACA No. 47 of 2025 & I.A. No. 39 of 2025

Order No.
03.

1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. The appellant-Insurance Company has filed this Interlocutory Application in I.A. No. 39 of 2025 U/S.5 of the Limitation Act, 1963 to condone the delay of 320 days in preferring the appeal, but Mr. Pratap Kumar Behera, learned counsel has already entered appearance for R-1 & 2 by waiving notice, however, notice against R-3 is yet to be issued.
3. In the course of hearing, Mr. P.K. Mahali, learned counsel for the appellant-insurer, however, submits that although there is a delay of 320 days, but the appellant-insurer is ready to pay some cost for condonation of delay, but when this Court asks as to whether the appellant-insurer would like to pay Rs.1,00,000/- towards cost for condonation of delay,



he submits to take instruction from the appellant-insurer in this regard.

4. In the aforesaid situation awaiting instruction from the appellant-petitioner, issue notice on the question of limitation against OP No.3 through Speed Post with AD by fixing a short returnable date. Requisites for issuance of notice to the OP No. 3 shall be filed within three working days. List this matter on 27th February, 2026.

(G. Satapathy)
Judge

S.Sasmal