



IN THE HIGH COURT OF ORISSA AT CUTTACK

MACA No.34 of 2024

M/s. D.M. National Insurance Appellant
Company Limited, Cuttack

Mr. P.K. Mahali, Advocate

-Versus-

Subhashree Sahoo & others Respondents

Mr. S.B. Das, Advocate for Respondent Nos. 1 to 3

CORAM:
MR. JUSTICE R.K. PATTANAİK

ORDER
04.04.2024

Order No.

I.A. No. 235 of 2023

02. 1. Instant I.A. is filed by the appellant Insurance Company for condonation of delay in terms of Section 5 of the Limitation Act in filing of the appeal.
2. Heard learned counsel for the parties.
3. Mr. Mahali, learned counsel appearing for the appellant Insurance Company submits that the delay, which has occasioned filing in the appeal, should be condoned in the interest of justice.
4. Objection of Mr. Das, learned counsel appearing for the claimants respondent Nos. 1 and 2 is noted down.
5. Accepting explanation on record of the appellant Insurance Company towards delay, the Court is inclined to condone the same.
6. Accordingly, the I.A. stand allowed with the delay of 52 days is hereby condoned.

(R.K. Pattanaik)
Judge

MACA No.1180 of 2023

03. 1. In view of the order in I.A. No.235 of 2024, list this matter on 3rd May, 2024 for final hearing and orders. A copy of the appeal memorandum be served on Mr. Das learned counsel for respondent Nos.1 to 3.
2. Since liability is challenged by the appellant Insurance Company, considering the submission of Mr. Mahali, learned counsel appearing for him, notice to respondent No.4, namely, the owner of the offending vehicle by Registered Post with AD making it returnable at an early date and for the said purpose, requisites shall be filed within seven days from today positively.
3. List on the date fixed.

(R.K. Pattanaik)
Judge

Balaram