



IN THE HIGH COURT OF ORISSA AT CUTTACK

MACA No.271 of 2023

Sr. Divisional Manager, National Insurance Company Limited, Cuttack Appellant
M/s. G.P. Dutta & Associates

-Versus-

Pradipta Kumar Behera & another Respondents
Mr. D.C. Dey, Advocate
For Respondent No.1

CORAM:
MR. JUSTICE R.K. PATTANAIAK

ORDER
08.04.2024

Order No.

05. 1. The statutory deposit of Rs.25,000/- received through account payee cheque dated 23rd February, 2024 as at Flag-X from the appellant Insurance Company is directed to be invested and kept in a fixed deposit in the name of the Registrar (Judicial), High Court of Orissa with any Nationalized Bank for a period of six months renewable from time to time for such further period.

(R.K. Pattanaik)
Judge

I.A. No.531 of 2023

06. 1. Heard learned counsel for the petitioner (appellant Insurance Company).
2. Instant I.A. is filed under Section 5 of the Limitation Act for condonation of delay in filing of the appeal by the appellant Insurance Company.
3. A delay of 64 days is reported as per the S.R.



4. Learned counsel for opposite party No.1 (claimant respondent No.1) is present and a formal objection is received from him.

5. Considered the ground shown by the petitioner (appellant Insurance Company) towards the delay, which has occasioned in filing in the appeal. Accepting the reason assigned and explanation offered by the petitioner (appellant Insurance Company) and recording objection of Mr. Dey, learned counsel for opposite party No.1 (claimant respondent No.1), the Court is of the view that the delay in filing of the appeal should be condoned in the interest of justice and also to facilitate disposal of the same on merit.

6. Hence, it is ordered.

7. The I.A. stands allowed. Consequently, the delay of 64 days is hereby condoned.

(R.K. Pattanaik)
Judge

MACA No.271 of 2023

07. 1. In view of the order in I.A. No.531 of 2023, list this matter on 3rd May, 2024 for final hearing and orders under Order XLI Rule 11 C.P.C. along with MACA No.573 of 2022.

(R.K. Pattanaik)
Judge