



IN THE HIGH COURT OF ORISSA AT CUTTACK
MACA No.600 of 2024

***The Divisional Manager(Legal), ...
Royal Sundaram General
Insurance Company Limited,
Chennai*** ***Appellant***

Mr. S.K. Sahoo, Advocate

-versus-

Renubala Mallik and others ... Respondents

Mr. P.K. Mishra, Advocate (RNos.1-3)

**CORAM:
JUSTICE G. SATAPATHY**

ORDER(ORAL)
22.11.2024

Order No.
06.

MACA No.600 of 2024 & I.A. No.1426 of 2024

1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. Since the appellant has already filed the cheque of Rs.25,000/- towards the statutory deposit, the cheque amount be invested in the name of Registrar (Judicial) in any Nationalized Bank by opening an interest bearing account renewable from time to time.
3. It is apprised by learned counsel for the appellant that the appellant-petitioner has already paid the deficit Court fees.
4. The petitioner has filed IA No.1426 of 2024 U/S.5 of the Limitation Act for condonation of delay of 176 days in preferring the appeal.
5. Mr. Pradeep Kumar Mishra, learned counsel has already entered appearance for Respondent Nos.1 to 3 by waiving notice, but no one has appeared for Respondent



No.4-owner. However, no liability has been fixed against the Respondent No.4-owner and the insurer has also not challenged such finding of the learned tribunal and, therefore, issuance of notice against Respondent No.4-owner is dispensed with.

6. Heard, learned counsel for the appellant and learned counsel for Respondent Nos.1 to 3 in the matter of delay and perused the record.

7. After having considered the rival submissions and taking into account the grounds as taken in the IA, since there is a delay of 176 days which has been properly explained, this Court notwithstanding to the formal objection raised by Respondent Nos.1 to 3, considers it expedient to condone the delay subject to condition of the appellant-insurer paying a sum of Rs.2,000/- as a cost to the Respondent Nos.1 to 3. Accordingly, the delay is condoned subject to payment of aforesaid cost.

8. Hence, the IA stands disposed of.

9. List this matter on 06.12.2024.

(G. Satapathy)
Judge

Subhasmita

Signature Not Verified

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Reason: Authentication
Location: High Court of Orissa
Date: 22-Nov-2024 15:24:43

