



IN THE HIGH COURT OF ORISSA AT CUTTACK

MACA No.1079 of 2024

D.M. National Insurance Co. Ltd., ... Appellant
Angul

Mr. P.K. Mahali, Advocate

-versus-

Trilochan Samal and others ... Respondents

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

CORAM:
JUSTICE G. SATAPATHY

ORDER(ORAL)
07.01.2025

Order No.
03.

I.A. No.2509 of 2024

1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. This is an interlocutory application U/S. 5 of the Limitation Act, 1963 filed by the Appellant for condonation of delay of 36 days.
2. Heard, Mr. Prasanta Kumar Mahali, learned counsel for the Appellant and Mr. Pradeep Kumar Mishra, learned counsel for the R-1 to 3, but none appears for R-4 despite valid service of notice.
3. After having considered the rival submissions and on going through the averments taken in the IA, since there is a delay of only 36 days in preferring the appeal which has already been explained by the Appellant, this Court notwithstanding to the formal objection raised by the R-1 to 3 considers it in the interest of justice to condone the delay.



4. Accordingly, the delay of 36 days in preferring the appeal is hereby condoned.

5. The I.A. stands disposed of.

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5. Since Mr. Pradeep Kumar Mishra, learned counsel continues to appear for R 1 to 3, a copy of the brief be handed over to Mr. Mishra in the Court today.

6. Heard.

7. Issue notice to Respondent No.4 on limited point of liability to pay compensation to the claimants by Speed Post/Registered Post with AD by fixing a short returnable date. Requisites for issuance of notice to the Respondent No.4 shall be filed within seven working days.

8. List this matter on 12.02.2025.

(G. Satapathy)
Judge

Priyajit

Signature Not Verified

Digitally Signed
Signed by: PRIYAJIT SAHOO
Designation: Jr. Stenographer
Reason: Authentication
Location: HIGH COURT OF ORISSA
Date: 08-Jan-2025 17:35:27

