



IN THE HIGH COURT OF ORISSA AT CUTTACK

MACA No. 1177 of 2024

***Divisional Manager, Oriental ...
Insurance Co. Ltd., Balasore***

Appellant

Mr. G.P. Dutta, Advocate

-versus-

Basanti Sethi & Others

... Respondents

Mr. K.K. Rout, Advocate (R-1)

**CORAM:
JUSTICE G. SATAPATHY**

ORDER(ORAL)

06.02.2026

MACA No. 1177 of 2024 & I.A. No. 2782 of 2024

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. 2782 of 2024 U/S.5 of the Limitation Act, 1963 to condone the delay of 339 days in preferring the appeal, but Mr. Khirod Kumar Rout, learned counsel has already entered appearance for R-1 by waiving notice, however, notice against other respondents is yet to be issued.
3. In the course of hearing, Mr. G.P. Dutta, learned counsel for the appellant-insurer, however, submits that although there is a delay of 339 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 Nos. 2 & 3 through Speed Post with AD by fixing a short returnable date. Requisites for issuance of notice to the OP Nos.2 & 3 shall be filed within three working days. List this matter on 27th February, 2026.

(G. Satapathy)
Judge

S.Sasmal