



**IN THE HIGH COURT OF ORISSA AT CUTTACK**  
**MACA No. 1265 of 2025**

**Branch Manager, The New ... *Appellant***  
**India Assurance Co. Ltd.**

*Mr. S. Roy, Advocate*

-versus-

**Nayika Huika & Another ... *Respondents***

**CORAM:**  
**JUSTICE G. SATAPATHY**

**ORDER(ORAL)**  
**06.02.2026**

**Order No.**      **MACA No. 1265 of 2025 & I.A. No. 2710 of 2025**  
**02.**

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. 2710 of 2025 U/S.5 of the Limitation Act, 1963 to condone the delay of 354 days in preferring the appeal.

3. In the course of hearing of limitation petition, Mr. Somnath Roy, learned counsel for the appellant-insurer, however, submits that although there is a delay of 354 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, Mr. Roy seeks some time to take instruction from the appellant-insurer.

4. In the aforesaid situation awaiting instruction from the appellant-petitioner, issue notice on the



question of limitation against OPs through Speed Post with AD by fixing a short returnable date. Requisites for issuance of notice to the OPs shall be filed within three working days. List this matter on 27.02.2026.

**(G. Satapathy)**  
**Judge**

*Jayakrushna*