

IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

**Appeal from Order No. 168/2016**

Smt. Sulochana Devi & Others

.... Appellants

**Versus**

Santosh Prasad & Others

.... Respondents

Mr. G.S. Negi, Advocate, for the appellants.  
None for the respondents.

May 31, 2017

**Hon'ble Servesesh Kumar Gupta, J.**

Having heard learned Counsel on behalf of the appellants, it transpires that this appeal has been preferred for enhancement of the award. The deceased was a Class IV employee in the Commercial Tax Department in District Moradabad. He lost his life in the accident. The Tribunal evaluated the compensation to the tune of Rs. 10,52,576/- along with 6 per cent simple annual interest.

The award was passed on 18.11.2015. Copy thereof was applied after passing of almost 196 days, i.e. on 17.2.2016. It was prepared on 17.2.2016 itself, but Smt. Sulochana Devi turned up to receive the same after further 10 days, i.e. on 27.2.2016 and thereafter the appeal was preferred on 22.3.2016. This way, after consuming the maximum time limit of 90 days, further 32 days have been taken to knock the door of this Court for enhancement of compensation.

The only reason given in the affidavit is that the deponent is a housewife and she was not aware of the limitation of filing the appeal.

I am not satisfied with such ground. Hence, delay condonation application (CLMA 2624/2016) is rejected. Consequently, the appeal also stands dismissed.

**(Servesch Kumar Gupta, J.)**

Prabodh