

**APPEAL NO. 5A OF 2009**

1. 18.07.2009            Shri G. Satpathy, learned counsel for the appellant, files today an application praying to condone the delay in filing this appeal.

The same is taken to record.

Heard Shri Satpathy and perused the application for limitation.

There is a delay of 39 months in filing the present appeal. We do not find any sufficient reason to condone the aforesaid delay.

The appeal accordingly stands dismissed on the ground of limitation.

.....*Sd/*.....  
Justice B.P. Das,  
Chairman

..... *Sd/* .....  
Prof. G.B. Behera,  
Member

..... *Sd/* .....  
Dr. C.R. Mohapatra,  
Member