

26.02.2026

Present : Revisionist through VC.

Sh. Sanyam Bansal, Ld. Counsel for the revisionist.

Sh. Vedant Khera, Ld. Counsel for the respondent.

Arguments heard on the application u/s 5 of The Limitation Act. Record perused.

It is being submitted by Ld. Counsel for the applicant/ revisionist that there is a delay of 112 days in filing the revision petition from the date of impugned order. It is submitted that the revisionist was working as a faculty/Professor with the respondent and subsequently the revisionist leaving the academy the respondent had presented the cheques which were returned with the reason 'payment stopped by drawer'. It is submitted that subsequent to termination of service of the revisionist he joined another institute and the legal head of the said institute was appointed as revisionist counsel to handle the present matter. It is submitted that the said counsel stopped appearing on behalf of the applicant/ revisionist in the present matter and no communication was given by the said counsel to the revisionist and that the applicant/ revisionist came to know through his friend in April 2025 about complete details of the case and passing of impugned order dt. 24.10.2024 whereby the revisionist had been directed to pay the interim compensation. It is submitted that the delay in

filing the present revision petition is neither intentional nor deliberate.

Per contra, Ld. Counsel for the non-applicant/respondent has argued that the present revision petition is motivated with sole intention of causing delay. It has been argued that revision petition was filed belatedly in May 2025 without any application seeking condonation of delay and it was only after the objections regarding dismissal of the petition by the respondent that the present application u/s 5 of The Limitation Act has been filed by the revisionist. Ld. Counsel for the respondent has vehemently argued that there is inordinate and unexplained delay of approximately 201 days in filing the present revision petition and that the revisionist has adopted a casual approach. It is contended that The Limitation Act, cannot be available all the times, especially, when a party just adopts a casual approach, taking the law for granted.

In the case of *Santosh & Ors. Vs. Shri Tek Chand, 134(2006) DLT 332*, the Hon'ble High Court of Delhi held that, "*rules of procedure are handmaidens to the end of justice and should not be permitted to effect substantial justice.*" In the present application, the revisionist has contended that in mid of April 2025, he became aware of impugned order. The instant application under Section 5 of The Limitation Act dated 11.09.2025 has thus been filed belatedly in September 2025, seeking condonation of delay. However, it is significant that the

revision petition itself was filed earlier on 23.05.2025. This sequence of events clearly reflects a lack of diligence, and the casual approach adopted by the revisionist writ at large. However, keeping in view the fact that the matter ought to be decided on merits and not on technical ground, the circumstances, which have been shown, need to be considered leniently. Taking a liberal view, and in the larger interest of justice, the application for condonation of delay is allowed, and the delay in filing of the instant revision is condoned subject to cost of Rs.5,000/-. Out of said cost of Rs.5,000/-, an amount of Rs.2,500/- be deposited with Rohini Court Bar Association and remaining amount of Rs.2,500/- be paid by the revisionist to the respondent.

Put up for payment of cost and arguments on appeal on **02.03.2026**.

(PREM KUMAR BARTHWAL)
Principal District & Sessions Judge
North District/Rohini Courts/Delhi
26.02.2026 (d)