



2026:CGHC:10444-DB



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

CRA No. 487 of 2026

Prabhat Mishra S/o Anil Mishra Aged About 22 Years R/o Village Padivar, P.S. Chaakghat, District Rewa (M.P.)

... Appellant

versus

Union of India Through National Investigation Agency, Branch Office, Sector 24, Jhanjh, Atal Nagar Nava Raipur, District Raipur C.G.

... Respondent

(Cause-title taken from Case Information System)

For Appellant	:	Mr. Vivek Ranjan Tiwari, Senior Advocate assisted by Mr. Atul Kumar Kehsarwani, Advocate
For Respondent	:	Mr. B. Gopa Kumar, Advocate

Hon'ble Shri Ramesh Sinha, Chief Justice

Hon'ble Shri Bibhu Datta Guru, Judge

Order on Board

Per Ramesh Sinha, Chief Justice

28.02.2026

1. Heard Mr. Vivek Ranjan Tiwari, learned Senior Counsel assisted by Mr. Atul Kumar Kehsarwani, learned counsel for the appellant as well as Mr. B. Gopa Kumar, learned counsel appearing for the respondent.



- 2.** Mr. Kumar, learned counsel appearing for the respondent, submits that the present appeal is hopelessly barred by limitation, having been filed with a delay of 183 days. He contends that in view of Section 21(5) of the National Investigation Agency Act, 2008 (for short, 'the Act'), every appeal is required to be preferred within a period of thirty days from the date of the judgment, sentence or order appealed from. Though the proviso empowers the High Court to entertain an appeal after expiry of the said period of thirty days if sufficient cause is shown, the second proviso categorically mandates that no appeal shall be entertained after the expiry of ninety days. It is thus submitted that since the present appeal has been filed beyond the outer limit of ninety days prescribed under Section 21(5) of the Act, this Court has no jurisdiction to entertain the same, and the appeal deserves to be dismissed as barred by limitation.
- 3.** In view of the foregoing discussion and having regard to the specific bar of limitation contained in Section 21(5) of the National Investigation Agency Act, 2008, this Court is of the considered opinion that the present appeal, having been preferred beyond the outer statutory limit prescribed under the Act, is not maintainable. The delay of 183 days travels far beyond the permissible period of ninety days, and in light of the express legislative mandate, this Court lacks the jurisdiction to entertain the same. The provision admits of no further extension once the maximum period stipulated therein has expired.



4. Accordingly, the present appeal stands dismissed as barred by limitation.
5. However, it is made clear that this Court has not expressed any opinion on the merits of the case. The appellant shall be at liberty to avail such other remedy as may be available to him in accordance with law before the appropriate forum, if so advised, subject to all just exceptions and in accordance with the governing statutory provisions.

Sd/-
(Bibhu Datta Guru)
Judge

Sd/-
(Ramesh Sinha)
Chief Justice