

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH**

FAO-1615-2026 (O&M)
Date of decision: 21.04.2026**Dilip Buildcon Limited**

. . . . Appellant

Vs.**Bhago Devi and others**

. . . . Respondents

CORAM: HON'BLE MR JUSTICE DEEPAK GUPTA

Present: - Mr. Amit Arora, Advocate, for the appellant.

DEEPAK GUPTA, J.

The present appeal has been preferred by the owner of the offending vehicle assailing the award dated 04.03.2024 passed by the learned Motor Accident Claims Tribunal, Kurukshetra.

2. The factual matrix, as emerging from the record, is that on 07.05.2018, a motor vehicular accident occurred due to rash and negligent driving of truck bearing registration No. HR-55B-5775, resulting in the death of Sulinder Pal. The legal representatives of the deceased, namely his widow, children and aged mother, instituted a claim petition under Section 166 of the Motor Vehicles Act, 1988 seeking compensation against the driver, owner and insurer of the offending vehicle.

3. The claim petition was contested by all the respondents. Upon appreciation of the evidence on record, the learned Tribunal vide award dated 04.03.2024 assessed compensation to the tune of ₹10,07,116/- and held the respondents jointly and severally liable to satisfy the award along with interest. However, while fastening liability, the Insurance Company was granted recovery rights to recover the awarded amount from the driver and owner of the offending vehicle.



4. Aggrieved against the said award, the owner has preferred the present appeal along with an application bearing **CM-6065-CII-2026** under Section 5 of the Limitation Act, 1963 seeking condonation of delay of 649 days in filing the appeal.

5. In the application, it has been averred that immediately after the passing of the award, a certified copy thereof was forwarded to the concerned litigation-handling official of the appellant-company. It is stated that the appellant, being a large corporate entity having litigation across various States, had entrusted the matter to a designated official. However, due to inadvertence, negligence and oversight on the part of the said official, the matter was not processed within the prescribed period of limitation. It is further stated that the concerned official has since resigned from service on 10.12.2025 and that upon subsequent internal review, the lapse was discovered, whereafter counsel was engaged and the present appeal was filed. On these grounds, condonation of delay has been sought. The application is supported by an affidavit of Abhinav Kumar, Senior Executive (Legal) of the appellant-company.

6. Having heard learned counsel for the appellant and perused the record, this Court finds no merit in the application seeking condonation of delay.

7. It is well settled that while the expression “sufficient cause” under Section 5 of the Limitation Act is to receive a liberal construction, such liberality cannot be extended to condone inordinate and unexplained delays, particularly where the conduct of the party reflects lack of bona fide and due diligence. The law of limitation is founded upon public policy to ensure certainty and finality in litigation, and cannot be rendered otiose on account of casual or negligent conduct of litigants.

8. In the present case, a delay of as many as 649 days has occurred. The explanation furnished by the appellant is wholly vague and unsatisfactory. The application does not even disclose the identity of the concerned official, who is alleged to have been negligent. No material has been placed on record to demonstrate that the appellant-company had exercised any supervisory



control or due diligence in pursuing the matter within limitation. On the contrary, the record reveals that the appellant-owner was duly represented before the Tribunal and had full knowledge of the award.

9. Merely attributing the delay to internal administrative lapses or negligence of an employee cannot constitute “sufficient cause” within the meaning of law, especially when the delay is substantial and remains largely unexplained. A corporate entity, having the benefit of structured legal machinery, is expected to act with greater diligence and accountability in prosecuting its remedies.

10. In the absence of any cogent or convincing explanation, this Court is of the considered view that the delay of 649 days is wholly unjustified and does not deserve to be condoned.

11. Accordingly, the application bearing CM-6065-CII-2026 filed under Section 5 of the Limitation Act, 1963 for condonation of delay is dismissed.

12. As a natural corollary, the appeal itself, being barred by limitation, is also dismissed. Pending application(s), if any, shall stand disposed of.

21.04.2026

Vivek

(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned
Whether reportable

Yes
No