

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

D.B. Civil Miscellaneous Appeal No. 2413/2022

M/s Subhash Chandra And Co.,

----Appellant

Versus

M/s N.T.P.C. Limited

----Respondent

For Appellant(s)	:	Mr. R.K. Mathur, Sr. Adv.assisted by Mr. Sunil Kumar Jain, Adv.
For Respondent(s)	:	Mr. Satish Pareek, Adv.for Mr. Anurag Agarwal, Adv.

HON'BLE MR. JUSTICE PANKAJ BHANDARI
HON'BLE MRS. JUSTICE SHUBHA MEHTA
Order

28/02/2024

The matter comes upon application under Section 5 of the Limitation Act for condonation of delay.

It is informed by learned Senior Advocate appearing on behalf of the appellant that the impugned order was passed on 20.01.2020. It is contended that a review petition was filed before the Commercial Court within four days, however, that application remained pending and ultimately the application was rejected on 08.07.2022. Thereafter, the present appeal was filed within time.

Considering the delay caused due to pendency of the review petition, we deem it proper to allow the application under Section 5 of the Limitation Act for condonation of delay.

Accordingly, application under Section 5 of the Limitation Act is allowed. Delay in filing the appeal is condoned.

Call for the record.

Let the matter be posted for admission on 19.04.2024.

(SHUBHA MEHTA),J
CHANDAN /54

(PANKAJ BHANDARI),J