



C.M.P.No.28495 of 2025
and Rev.Appl.SR.No.167023 of 2025

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Dr.ANITA SUMANTH,J.
and
MUMMINENI SUDHEER KUMAR,J.

(Order of the Court was made by Dr.ANITA SUMANTH.,J.)

This is a petition seeking condonation of delay of 13 days in filing the Review Application. At paragraph 4 of the accompanying affidavit, the reason is explained stating that one of the Directors of the petitioner company who was aged about 80 years was seriously ill at the time when the judgment in respect of which review is proposed was received, and was continuing to suffer from severe health complications in the weeks that followed.

2. Since it was that Director who was primarily responsible for taking crucial decisions on behalf of the company, there was a disruption in the internal coordination relating to the decision making process for filing a



review/appeal. The petitioner was hence unable to diligently communicate with the counsel and follow the matter up leading to a delay of 13 days in filing the present review application.

3. A counter has been filed. Learned counsel for the respondent supporting the averments in the counter would submit that there is no justification in the delay of 13 days. According to him, the delay is deliberate and is nothing but an *'engineered attempt to achieve an ulterior purpose to venture that the Review Application does not come up before the Presiding Judge who passed the original order'*.

4. We have heard both learned counsel. We are of the view that the defence put up by the respondent does not merit acceptance. There is nothing to show that the delay was occasioned on account of any factors other than what has been set out in the application itself, being medical reasons and the advanced stage of the petitioner.

5. We do not agree that the delay was deliberate and intentional and in



fact, we do not believe that the petitioner has anything to gain by filing a belated application. This argument of the respondent is rejected.

6. To be noted, the order in respect of which review is filed, was uploaded on 04.09.2025 and the last date for filing of the review application expired on 03.10.2025. The review application was filed on 14.10.2025 with a delay of 13 days and in our view, there has been sufficient, and acceptable cause made out for the delay.

7. In light of the above, the delay of 13 days in filing the review application is condoned and this Miscellaneous Petition is ordered. Registry is directed to number the Review Application, if it is otherwise in order, and list the same for admission.

[A.S.M.,J] [M.S.K.,J]
02.12.2025

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