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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **FAO 183/2019, CM APPL. 19249/2019 & CM APPL. 6588/2020**
SANTOSH

.....Appellant

Through: Mr. Hari Kishan, Adv.

versus

M/S MODAL MACHINE TOOLS & ANR

.....Respondent

Through: Ms. Shruti Munjal and Mr. Chetan
Prakash Singh, Advs.

CORAM:
HON'BLE MS. JUSTICE CHANDRASEKHARAN SUDHA

ORDER
29.10.2025

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CM APPL. 19248/2019

The present application has been filed for condonation of delay of 692 days in filing the appeal.

In the affidavit accompanying the application, it is stated that the copy of the impugned order was received on 27.02.2017. However, the counsel concerned forgot to file an appeal in time. Despite earnest efforts being made by the appellant, he was able to engage a new counsel only by 28.01.2019 and hence, the delay of 692 days in filing the appeal.

The application is opposed by the respondent, who submits that there are no sufficient grounds for condoning the delay.

Heard both sides.

Apparently, the impugned award was passed on 16.02.2017 and the



certified copy of the impugned award was received on 27.02.2017.

During the course of argument, the learned counsel for the appellant submitted that the delay occurred because the earlier counsel for the appellant had passed away, thereby hindering the filing of the appeal in time. However, no such contention is made in the affidavit accompanying the application.

It is also seen that this Court by order dated 23.01.2024, had given an opportunity to the appellant/applicant to file a better affidavit explaining the delay and four weeks' time was granted. However, till date no better affidavit has been filed. The affidavit that is on record does not disclose sufficient reasons for condoning the delay of 692 days, which is more than 2 years in filing the appeal.

In view of the above, I do not find any reasons for condoning this substantial delay in filing the appeal. Accordingly, the application sans merit is dismissed. Consequently, the appeal shall also stand dismissed.

CHANDRASEKHARAN SUDHA, J

OCTOBER 29, 2025/rs/mj