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IN THE HIGH COURT OF DELHI AT NEW DELHI

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RFA 463/2023

NARESH VASHISTHA

.....Appellant

Through: Mr. Ashwani Upadhyay, Advocate.

versus

**M/S JAIPURIA INFRASTRUCTURE DEVELOPMENT PVT. LTD.
AND ORS**

.....Respondents

Through: Mr. Saurabh D. Karan Singh,
Advocate.

CORAM:

HON'BLE MR. JUSTICE GIRISH KATHPALIA

ORDER

08.01.2025

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[Physical Hearing/Hybrid Hearing (as per request)]

RFA 463/2023 & CM APPL. 30487/2023 (delay in re-filing (43 days))

1. The present appeal assailing the judgment and decree for injunction and recovery of money was filed with a delay of 709 days. For the first time, the appeal came up for hearing before the predecessor bench on 31.05.2023. Thereafter, till date across repeated adjournments, appellant failed to file any application seeking condonation of delay in filing the appeal. It seems that the appellant is not seriously interested to prosecute this appeal. Learned counsel for appellant submits that on account of flooding of his office after last to last date of hearing (09.05.2024), he could not prepare the application. Learned counsel for respondents points out that there were no rains to that extent within the span of two weeks after 09.05.2024. I find the explanation of learned counsel for appellant absolutely flimsy in view of the fact that this inordinately delayed appeal has been pending on board since



31.05.2023 and no reason has been advanced for failure to seek condonation of delay.

2. Therefore, the appeal and the accompanying application are dismissed as barred by limitation.

GIRISH KATHPALIA, J

JANUARY 8, 2025/ry

Click here to check corrigendum, if any