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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ RFA(COMM) 227/2023
UNION BANK OF INDIAAPPELLANT

Through: None.

versus

MUKESH JAIN & ORS.RESPONDENTS
Through: Ms. Tanishi Jain & Mr. Saurabh
Upadhyay, Advs.

CORAM:
HON'BLE MR. JUSTICE YASHWANT VARMA
HON'BLE MR. JUSTICE HARISH VAIDYANATHAN
SHANKAR

ORDER
11.03.2025

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CM APPL. 53029/2023 (Delay 342 days in filing Appeal)

1. The present application has been moved for condonation of the delay of 342 days which has been caused in institution of the instant appeal, which in turn is directed against the judgment and decree dated 19 July 2022 rendered by the Commercial Judge.
2. From the recordal of facts as they appear in that judgment, we note that despite the appellants having been duly placed on notice of the suit proceedings, they chose to appear before the concerned Court only on one solitary occasion seeking adjournment whereafter the matter proceeded ex-parte. Even a written statement was not filed in those proceedings.
3. Insofar as the prayer for condonation of delay is concerned, all that the respondents allude to is a change of personnel and an alleged failure on the part of the authorized person to appear before the



Commercial Judge.

4. The reasons thus assigned clearly fail to inspire any confidence and in any case cannot be read as justifying the prayer for condonation of a delay of more than 300 days.

5. The application is consequently dismissed.

RFA(COMM) 227/2023 & CM APPL. 53027/2023 (Stay)

6. The appeal shall in consequence stand consigned to the record.

YASHWANT VARMA, J.

HARISH VAIDYANATHAN SHANKAR, J.

MARCH 11, 2025/v