



\$~26

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

+ **CRL.L.P. 131/2018**

M/S ANUSUN ELECTRONICS P. LTD

.....Petitioner

Through: Mr Rajesh Khari, Adv. (through VC)

versus

MR. SUSHIL KUMAR SAXENA & ANR

.....Respondents

Through:

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

28.01.2025

%

CRL.M.A. 3243/2018

1. This is an application seeking condonation of 469 days delay in filing the appeal challenging the impugned order dated 01.09.2016 passed by learned MM-03 (N.I. Act), South East, Saket Courts, New Delhi.
2. Mr. Khari, learned counsel for the petitioner submits that the petitioner received the certified copy of the impugned order on 01.07.2017 and wanted to approach the Court, however the business of the appellant was in deep trouble and the petitioner was also fighting cases against the respondent in the DRT, which caused mental agony and financial stress to the petitioner.
3. He further states that the finances of the petitioner was also diverted towards the cases filed against him, hence he could not even engage a counsel. Further, the mother of the petitioner is also suffering from a heart disease and in this regard, she underwent a heart surgery in 2014. Hence, the



petitioner was looking after her.

4. The impugned order is dated 01.09.2016. Admittedly, the petitioner received the certified copy of the same on 01.07.2017 and the present appeal along with application for condonation of delay has been filed on 15.02.2018. Except for the averments made herein, there is no material document filed by the petitioner showing details of the cases pending against the petitioner. Further, the medical record of the mother of the petitioner has also not been placed on record by the petitioner.

5. In the present case, the petitioner is a private limited company and is a separate legal entity. The averments in the present application are made by one of the directors of the petitioner and are personal in nature. The details of other Directors have also not been furnished as to why any other Director could not pursue the present appeal before this Court.

6. In addition, the petitioner has also not shown any financial statements indicating the financial stress of the petitioner and how he was not having necessary funds to pursue the present appeal.

7. For the said reasons, I am not inclined to entertain the application seeking condonation of delay.

8. The application seeking condonation of 469 days delay in filing the appeal is dismissed. Consequently, the application seeking leaving to appeal is dismissed and the appeal has become infructuous.

JASMEET SINGH, J

JANUARY 28, 2025

sr

[Click here to check corrigendum, if any](#)