LAISHRAM DHAKESHORI DEVI
Digitally signed by LAISHRAM DHAKESHORI DEVI
Date: 2026.11.06 10:30:31 +05'30'

Item Nos. 73

IN THE HIGH COURT OF MANIPUR
AT IMPHAL

MC(RSA) No. 29 of 2026
Ref. RSA No. 5 of 2026

Chongtham Nilakanta Singh & 3 ors. ...***Applicant/s***

Vrs.

RK Nilamani & 2 ors. ...***Respondent/s***

-B E F O R E-
HON'BLE MR. JUSTICE AHANTHEM BIMOL SINGH

04.11.2026

Mr. S. Rupachandra, learned senior advocate assisted by Mr. Ronak, learned counsel appeared on behalf of the applicants and Mr. FA Khalid, learned counsel along with Ms. Unisha Roshnee, learned counsel appeared on behalf of the respondents.

[2] The present application has been field with a prayer for condoning the delay of 22 (twenty-two) days in filing the application, registered as MC(RSA) No. 28 of 2026, for bringing on record the Legal Representatives (LRs) of the deceased respondent No. 1 in the connected RSA No. 5 of 2026.

[3] The case of the applicants is that the said Second Appeal and connected stay application was filed on 20-05-2026 during the lifetime of the deceased respondent No. 1, namely, R.K. Nilamani Singh. The said respondent No. 1 expired on 24-06-2026. The applicants have no knowledge about the expiry of the said respondent No. 1 and that the applicants by chance came to know about the demise of the respondent No. 1 only on 20-08-2026 from their counsel. Subsequently, when the said second appeal was fixed on 08-09-2026,

the learned counsel for the applicants informed this Court about the demise of the respondent No. 1 and took time for filing application for bringing on record the LRs of the deceased respondent No. 1. Thereafter, the applicants sought the details of the LRs of the deceased respondent No. 1 through his counsel and obtained such details from the learned counsel representing the deceased respondent No. 1 only on 31-08-2026.

[4] Just after receiving the informations from learned counsel of the respondent No. 1 about the details and particulars of the LRs of the deceased respondent No. 1, the impleadment application was drafted and was ready for filing on 05-09-2026. However, due to inadvertence/bonafide mistake, the learned counsel of the applicant failed to file the said impleadment application in time and the said impleadment application was filed only on 12-10-2026. Hence, the present condonation application has been filed for condoning the delay of 22 (twenty two) days in filing the impleadment application. In support of such contentions, an affidavit dated 14-10-2026 of the learned counsel who filed the impleadment application has been enclosed as annexure M/2 in the present application.

[5] The learned senior counsel appearing for the applicant submitted that the delay of 22 days has been caused due to bonafide mistake on the part of the learned counsel of the applicant and that no fault can be contributed to the applicant and that the applicant acted diligently and bonafidely in filing the application for bringing on record the LRs of the deceased respondent No. 1. The learned senior counsel, accordingly, prays for allowing the condonation application and to consider the impleadment application for bringing on record the LRs of the deceased respondent No. 1.

[6] Mr. F.A. Khalid, learned counsel appearing for the respondents vehemently submitted that for the period from 05-09-2026, i.e., the date of completion of drafting of the impleadment application, till 12-10-2026, i.e., the date of filing the said impleadment application, no explanation has been given by the applicant, which could be construed as sufficient cause for condoning the delay. The learned counsel cited the principle of law laid down by the Hon'ble Apex Court in the case of ***Basawaraj & anr. -vrs.- Spl. Land Acquisition Officer*** *reported in* ***2013 Legal Eagle (SC) 629.***

[7] The relevant paragraphs of the case law relied on by the counsel for the respondents are reproduced hereunder :

> "***9****. Sufficient cause is the cause for which defendant could not be blamed for his absence. The meaning of the word "sufficient" is "adequate" or "enough", inasmuch as may be necessary to answer the purpose intended. Therefore, the word "sufficient" embraces no more than that which provides a platitude, which when the act done suffices to accomplish the purpose intended in the facts and circumstances existing in a case, duly examined from the view point of a reasonable standard of a cautious man. In this context, "sufficient cause" means that the party should not have acted in a negligent manner or there was a want of bona fide on its part in view of the facts and circumstances of a case or it cannot be alleged that the party has "not acted diligently" or "remained inactive". However, the facts and circumstances of each case must afford sufficient ground to enable the Court concerned to exercise discretion for the reason that whenever the Court exercises discretion, it has to be exercised judiciously. The applicant must satisfy the Court that*

he was prevented by any "sufficient cause" from prosecuting his case, and unless a satisfactory explanation is furnished, the Court should not allow the application for condonation of delay. The court has to examine whether the mistake is bona fide or was merely a device to cover an ulterior purpose. (See: Manindra Land and Building Corporation Ltd. v. Bhootnath Banerjee & Ors., AIR 1964 SC 1336: 1963 Legal Eagle (SC) 129; Lala Matadin v. A. Narayanan, AIR 1970 SC 1953: 1969 Legal Eagle (SC) 304; Parimal v. Veena @ Bharti AIR 2011 SC 1150: 2011 Legal Eagle (SC) 130; and Maniben Devraj Shah v. Municipal Corporation of Brihan Mumbai AIR 2012 SC 1629: 2012 Legal Eagle (SC) 188.)

***"10.** In Arjun Singh v. Mohindra Kumar, AIR 1964 SC 993 : 1963 Legal Eagle (SC) 266 this Court explained the difference between a "good cause" and a "sufficient cause" and observed that every "sufficient cause" is a good cause and vice versa. However, if any difference exists it can only be that the requirement of good cause is complied with on a lesser degree of proof that that of "sufficient cause".*

***"11.** The expression "sufficient cause" should be given a liberal interpretation to ensure that substantial justice is done, but only so long as negligence, inaction or lack of bona fides cannot be imputed to the party concerned, whether or not sufficient cause has been furnished, can be decided on the facts of a particular case and no straitjacket formula is possible. (Vide: Madanlal v. Shyamlal, AIR 2002 SC 100: 2001 Legal Eagle (SC) 1454; and Ram Nath Sao @ Ram Nath Sahu & Ors. v. Gobardhan Sao & Ors., AIR 2002 SC 1201: 2002 Legal Eagle (SC) 239.)*

*"**12.** It is a settled legal proposition that law of limitation may harshly affect a particular party but it has to be applied with all its rigour when the statute so prescribes. The Court has no power to extend the period of limitation on equitable grounds. "A result flowing from a statutory provision is never an evil. A Court has no power to ignore that provision to relieve what it considers a distress resulting from its operation." The statutory provision may cause hardship or inconvenience to a particular party but the Court has no choice but to enforce it giving full effect to the same. The legal maxim "dura lex sed lex" which means "the law is hard but it is the law", stands attracted in such a situation. It has consistently been held that, "inconvenience is not" a decisive factor to be considered while interpreting a statute.*

*"**15.** The law on the issue can be summarised to the effect that where a case has been presented in the court beyond limitation, the applicant has to explain the court as to what was the "sufficient cause" which means an adequate and enough reason which prevented him to approach the court within limitation. In case a party is found to be negligent, or for want of bonafide on his part in the facts and circumstances of the case, or found to have not acted diligently or remained inactive, there cannot be a justified ground to condone the delay. No court could be justified in condoning such an inordinate delay by imposing any condition whatsoever. The application is to be decided only within the parameters laid down by this court in regard to the condonation of delay. In case there was no sufficient cause to prevent a litigant to approach the court on time condoning the delay without any justification, putting any condition whatsoever, amounts to passing an order in violation of the statutory*

provisions and it tantamounts to showing utter disregard to the legislature"

[8] The learned counsel appearing for the respondents submitted that as the petitioner has not given any explanation for the period from 05-09-2026 to 12-10-2026, there is no sufficient cause for condoning the delay and as such the present condonation application may be rejected.

[9] The only objection raised on behalf of the respondents in the present condonation application is that the applicants did not given any explanation for the period from 05-09-2026 to 12-10-2026, which can be treated as sufficient cause for condoning the delay.

[10] In the condonation application, the applicants have stated that the application for bringing on record the LRs of the deceased respondent No. 1 was ready by 05-09-2026 and that due to inadvertence/bonafide mistake, the conducting counsel of the applicants failed to present the said impleadment application before this Court in time and that the said impleadment application was filed only on 12-10-2026. In support of such contention, an affidavit sworn by the concerned learned counsel who filed the said impleadment application, has also been enclosed in the present application.

[11] On perusal of the said explanation given by the applicants, this Court is satisfied that there was no negligence or lack of bonafide on the part of the applicants and that they have acted diligently in filing the application for bringing on record the LRs of the deceased respondent No. 1.

[12] In the present case, the delay has been caused due to the inadvertence/bonafide mistake committed by the conducting counsel,

who filed the said impleadment application and as such, this Court is of the considered view that on account of the inadvertence/bonafide mistake committed by the learned counsel, the applicants cannot be made to suffer.

[13] On careful perusal of the case law cited on behalf of the respondents, this Court is of the considered view that the principle of law laid down by the Hon'ble Apex Court in the case of ***"Basawaraj"*** *(supra)* is of no help to the case of the respondents and that the principle of law laid down therein is in favour of the present applicants.

[14] In view of the findings and observations made so far, this Court is satisfied that the applicants have been able to show sufficient cause for condoning the delay. Accordingly, the present condonation application is hereby allowed.

[15] The present application stands disposed of.

JUDGE

Dhakeshori