

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 11547 OF 2024

The Kalyan Janata Sahakari Bank Ltd.

...Petitioner

Versus

Shivram Gopal Kadam And And Anr.

...Respondents

Adv. R. S. Datar, *for the Petitioner.*

Adv. Poonam V. Makhijani, *for the Respondents.*

CORAM : SOMASEKHAR SUNDARESAN, J.

DATE : APRIL 15, 2026

ORDER :

1. The challenge in this Petition is to an order dated April 9, 2024, refusing to condone a delay of 244 days by the Petitioner.

2. It appears that the ground for seeking condonation of this long delay was that the translation of certain documents from Marathi into English took time. It is noticed from the Impugned Order that barely 15 pages needed to be translated. After considering the submissions of the parties, the Learned National Commission held thus:

“7. When this Bench proceeds to make a valuation about the sufficiency of cause behind the delayed filing of the petition it feels constrained to observe that the delay condonation application is wholly bereft of any such ground

which may qualify to be called valid or tenable. It may be observed that in the matters which are filed before this Commission the cases come from all nooks and corners of the nation having different vernacular languages and it is a routine exercise to get the documents translated. But it does not go to mean that the petitions should not be fled here in time. The delay involved in the matter is not of days or of weeks but of many months and the yawning gap between the date of the impugned Order and the filing of the petition is too large to be likely to be ignored or soft peddled. The Bench does not feel the need to make any comments upon the concurrent findings said to have been arrived at by the two fora below because that is not needed as the Bench does not find any good ground contained in the delay condonation application which may earn condonation of delay involved in the matter.

The application for condonation of delay is without worth or substance, sufficient cause to condone the delay is not at all forthcoming. As such the Bench has no hesitation in dismissing the application.”

[Emphasis Supplied]

3. Nothing is set out as to why such finding is perverse or worthy of interference. The Petitioner is a financial institution and has the wherewithal to bring to bear a standard higher than ordinary litigants. Yet, the delay is enormous and a perusal of the record indeed shows that apart from having to translate 15 pages, no cause is shown, much less sufficient cause.

4. Having heard the parties, I am of the view that no case for the exercise of the extraordinary writ jurisdiction of this Court has been made out. This does not call for interference under Article 227 of the Constitution of India.

5. The Petition is therefore *disposed of* without any interference with the Impugned Order.

6. All actions required to be taken pursuant to this order shall be taken upon receipt of a downloaded copy as available on this Court's website.

[SOMASEKHAR SUNDARESAN, J.]