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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

FAO-8576-2017 (O&M)
Date of decision: 29.01.2026

M/S RELIANCE POLYCRETE LTD. AND ANOTHER

...Appellant(s)

VERSUS

M/S PUNJAB AGRO FOODGRAINS CORPORATION LTD. & ANR.

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

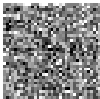
Present:- Mr. Ankit Chowdhri, Advocate for the appellants.

Ms. Mona Yadav, Advocate for
Mr. Ranjit Singh Kalra, Advocate for respondent No.1.

JASGURPREET SINGH PURI, J. (Oral)

CM-28090-CII-2017

1. The present application has been filed under Section 5 of the Limitation Act, 1963 for condonation of delay of 566 days in filing the present appeal.
2. Learned counsel for the applicant-appellant while referring to the present application submitted that the reason for delay in filing the present appeal was that the son of the applicant-appellant No.2 had suffered an accident and was undergoing treatment at various hospitals at Singapore. He further submitted that the applicant-appellant No.2 had also suffered certain injuries due to the said accident and because of this reason, the present appeal could not be filed in time.
3. On the other hand, learned counsel appearing on behalf of respondent No.1 submitted that the aforesaid circumstances cannot constitute sufficient cause for condonation of delay unless there is some cogent evidence



produced by the applicants-appellants with regard to the said treatment or hospitalization etc. but there is nothing on the record nor any document has been attached in this regard and therefore, the present application seeking condonation of delay may be dismissed.

4. I have heard the learned counsels for the parties on the application filed seeking condonation of delay.

5. There has been a huge delay of 566 days in filing the present appeal. On 20.05.2019, notice was issued in the present application seeking condonation of delay. A perusal of the present application would show that the reason mentioned is with regard to certain medical ground and hospitalization, whereas there is no medical certificate or any other document whatsoever attached along with the application to show as to on which dates the applicant-appellant No.2 and his son were undergoing medical treatment. Merely making averments in the application cannot constitute sufficient cause for the purpose of condonation of delay and in the absence of the same, such a huge delay of 566 days cannot be condoned.

6. Consequently, finding no merit in the present application, the same is hereby dismissed.

7. Since the application filed under Section 5 of the Limitation Act seeking condonation of delay of 566 days in filing the appeal is dismissed, the main appeal bearing No.FAO-8576-2017 also stands dismissed.

29.01.2026
Chetan Thakur

(JASGURPREET SINGH PURI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No