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

+ RFA 97/2026, CM APPL. 6044/2026 and CM APPL. 6046/2026

SITA RAM GUPTAAppellant

Through: Mr. Naveen Jha, Adv.

versus

KRISHNA CHAURASIYARespondent

Through: None.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

% **29.01.2026**

CM APPL. 6045/2026

1. Exemption allowed, subject to all just exceptions.
2. Application is disposed of.

RFA 97/2026, CM APPL. 6044/2026 and CM APPL. 6046/2026

3. CM APPL.6044/2026 has been filed on behalf of the Appellant under Section 5 of Limitation Act seeking condonation of delay of 1168 days in filing of present Regular First Appeal.
4. It is submitted that the Applicant is suffering from severe diabetes and also does not have mental condition to pursue his case further. His wife is also very ill and was admitted in the Hospital many times. Some medical documents have been annexed with this Application.
5. It is further submitted that the Appellant was unable to arrange the legal expenses to pursue the case, as he is a poor man. Therefore, the delay of 1168 days in filing of present Regular First Appeal be condoned.

Submissions heard and record perused.



6. Essentially, the ailment from the Appellant is suffering is stated to be diabetes, which is not a disabling disease.
7. Pertinently, as per the submissions made by learned counsel for the Appellant, the execution was filed in the year 2023, which is being contested by the Appellant. If he was in a position to contest his execution, there is no reason, why he could not have filed the Appeal.
8. In case, there was indigency, Legal Aid could have been availed by the Appellant. It is further submitted that the warrants of attachment have been issued, which is the reason why present Appeal has been filed after delay of 1168 days.
9. No ground made out for condoning the delay of 1168 days in filing of present Regular First Appeal.
10. Application is dismissed. Consequently, Regular First Appeal along with pending Applications is dismissed.

NEENA BANSAL KRISHNA, J.

JANUARY 29, 2026/R