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

+ RSA 43/2026, CM APPL. 13313/2026, CM APPL. 13314/2026, CM APPL. 13315/2026 & CM APPL. 13316/2026

ANOOP JADHAV

.....Appellant

Through: Mr. B.P. Sharma, Mr. Ashish Gill,
Ms. Shivani Kathpalia, Advocates

versus

GIRVER SINGH BISHT

.....Respondent

Through:

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

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26.02.2026

1. Regular Second Appeal under Section 100 read with Section 151 of the Code of Civil Procedure, 1908 (CPC) has been filed for setting aside the judgment and Order dated 22.07.2025 whereby the Application for condonation of delay of 460 days in filing the Appeal was dismissed and the RCA DJ No. 25/2025 was consequently rejected.
2. Briefly stated, the Appellant was inducted as a tenant in the Suit Property, i.e. Flat No. I-162, F-7, Third Floor, Lalita Park, Laxmi Nagar, Delhi in 2021. The Plaintiff/Appellant claimed that thereafter, various receipts/GPA, etc., were created in his favour for the entire sale consideration and he continued in peaceful possession in the property.
3. The legal proceedings were initiated by the Respondent for the possession of the Suit Property. The learned Civil Judge *vide* Order dated 15.12.2023 decreed the Suit in favour of the Respondent.



4. The Appellant on 24.12.2023, the certified copies of the judgment was made available to the Appellant. Thereafter, the winter vacation commenced from 25.12.2023 till 02.01.2024. During the year 2024, mother of the Appellant was seriously ill and was under continued medical care and supervision. On 18.11.2024, the father of the Appellant expired, because of which, the Appellant suffered severe mental trauma and disruption on account of which, he was unable to pursue the remedies.

5. His ***Appeal RCA DJ No. 25/2025*** supported with an Application for condonation of delay, was dismissed on the ground of limitation, on 22.07.2025.

6. Thereafter, the Appellant filed a ***Revision Petition*** before this Court to challenge the impugned Order. The Revision Petition was dismissed on 07.11.2025 as not maintainable and granted liberty to the Appellant to avail appropriate legal remedies.

7. The Executing Court in ***Execution Petition No. 1374/2024*** has passed Orders on 30.01.2026, to take coercive steps against the Appellant.

8. It is submitted that the present Second Regular Appeal along with Application for condonation of delay, has been filed on 12.02.2026.

9. A prayer is made that the impugned judgment be set aside and the case of the Appellant be heard on merits.

Submissions heard and record perused.

10. The learned ADJ in the impugned judgment dated 22.07.2025 has cogently noted that the impugned judgment against the Appellant was passed on 02.12.2023. As per his own submissions, he got the certified copies on 24.12.2023. Thereafter, there was absolute silence till the First Appeal was filed after a delay of 460 days.



11. The only explanation given was that the mother was unwell and that the father died on 08.11.2024. The learned ADJ has rightly observed that aside from these fake allegations, there is no cogent explanation by way of supporting documents or otherwise to show that there was sufficient reason which prevented the Appellant from filing the Appeal. The Limitation Application was consequently dismissed and the Appeal was also dismissed thereof.

12. The Revision Petition against the impugned Order was filed which got dismissed on 07.11.2025 as not maintainable and limitation, liberty was given to the Appellant to avail appropriate legal remedies, but he still waited till 30.01.2026 when the Executing Court passed a coercive Order against the Appellant.

13. The learned District Judge has rightly considered that there is no ground for condonation of delay and dismissed the Appeal.

14. There is no merit in the present Appeal, which is hereby, dismissed along with pending Applications.

NEENA BANSAL KRISHNA, J

FEBRUARY 26, 2026

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