**Delay Condonation In SLP**

In law every right has its own period of limitation. This is a principle of equity. One has to claim certain right within a specific period. After that he is forbidden from claiming the same. But the law provides remedy for the delay also. The delay can be caused due to many unavoidable reasons or due to mistake. But for claiming the remedy for condonation of delay one has to file a petition in the Court. Section 5 of the Limitation Act provides a remedy which says that a delay can be condoned on proving sufficient cause. The expression sufficient is very liberally construed by the Courts. Below is a format of affidavit for the petition for condonation of delay. Before the Honourable District Court at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_(enter station) AS No.(enter appeal suit number and year) Appellant:(enter name) Respondent:(enter name)

 AFFIDAVIT

1. I am the appellant in the above appeal and the petitioner in the IA.

2. The above appeal is given against the judgement and decree of \_\_\_\_\_\_court in OS No.\_\_\_\_\_(give case number) against the appellant stating to \_\_\_\_\_\_\_(briefly state the order). I know the facts of the case.

3. The appeal ought to have been filed on \_\_\_\_\_\_\_(date). But as I(appellant) was\_\_\_\_\_\_\_\_(enter the sufficient reason) the appeal could not be filed within the said period. Hence a delay of \_\_\_\_\_days is caused in filing the appeal. The said delay is not due to my wilful default.

4. I have filed a separate petition along with this for condoning the delay of \_\_days in filing the appeal which has to be allowed. Hence it is prayed that this honourable court may be pleased to condone the delay of \_\_\_days in filing the appeal by allowing the IA filed herewith for the same, unless I will be put to irreparable injuries and loss. All that is stated above are true and correct to the best of my belief. Dated this the \_\_\_\_\_\_(date) Sd/-Deponent Mob No: Email: Ms. Arundhati I think this suffice your requirement  Regards

**Delay Condonation In SLP**

IN THE SUPREME COURT OF INDIA CIVIL APPELLATE JURISDICTION

I.A. No. \_\_\_\_\_\_\_\_\_\_\_\_\_\_OF 2000

IN

SPECIAL LEAVE PETITION NO.\_\_\_\_\_\_\_\_\_\_OF 2000

AN APPLICATION FOR CONDONATION OF DELAY

IN THE MATTER OF Articles 136,\_\_\_\_\_,and

M/s. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

PETITIONER

VERSUS

Mr.\_\_\_\_\_\_\_\_\_\_\_\_\_\_& Others

RESPONDENTS

AN APPLICATION FOR CONDONATION OF DELAY

The Honorable Chief Justice of India and his companion Justices of the Supreme Court The humble Petition of the Petitioner above-named

MOST RESPECTFULLY SHOWETH:

1.      That the petitioner has filed this Special Leave Petition against the final judgment and order dated passed by the High Court of at in Writ Petition No. of 2000.

2.      That the petitioners have stated the facts of the case and the grounds arising there from in the accompanying petition and the same may be treated as part and parcel of this application.

3.      That against the final judgment and order dated passed by the High Court of at in Writ Petition No. \_\_\_\_\_\_\_\_\_\_\_\_\_of the petitioner had preferred a Writ Appeal being Writ Appeal No. of and the same was pending before the Honorable High Court/ or state any other valid reason.

4.      That due to the aforesaid reason a delay has occurred in challenging final judgment and order dated passed by the High Court of \_\_\_\_\_\_at in Writ Petition No.\_\_\_\_\_\_\_\_\_ of 2000.

5.      That the said delay which has occurred is purely technical in nature.

6.      That the instant petition does not suffer from any latches as the delay, if any, in filing this petition is unintentional and as such, the delay which has so occasioned may be condoned.

PRAYER

It is therefore most respectfully prayed that this Honorable court may be pleased to:

A.     Condone the delay if any in filing the instant Special Leave Petition against the impugned Judgment and Order dated passed by the Honorable High Court of at in Writ Petition No.\_\_\_\_\_\_\_\_\_\_\_ of 2000.

B.     Pass any further Orders this Honorable Court may deem fit in and proper under the facts and circumstances of the case.

AND FOR THIS ACT OF KINDNESS THE PETITIONER SHALL BE EVER GRATEFUL.

DRAWN AND FILED BY

NEW DELHI:

ADVOCATE FOR THE PETITIONER

FILED ON