**Please note your quarry itself has the ground for condonation of delay..**

Yet first check up the following things to pray for certain period of delay... a/  date of passing of impugned order.

b/  Date of receipt of order - free of cost as it is provided in the Act itself.

c/  Deduct first day of pronouncement of order

d/ than calculate  the period spent during  pronouncement and receipt of copy of order.

e/ than  deduct  these days plus the day of pronouncement of order from 30 days... and

f/  than see how much delay is there in filing of the appeal.  Please also See. case law AIR 1987 SC 1353 - on the issue –

Collector Land Acquisition Anantnag and anr Vs. Mst. Katiji and ors.  and 169 (2010 )  Delhi Law times, 630  Delhi High court –

Jyotsana Sarda Vs. Gaurav Sharda  Crl. Rev. P. No. 132 of 2009 decided on 22.12.2009. and AIR 1996 SC  and 1998 (2) Judicial Reports SC  ..

those can also give proper help to you. Rough Draft... In the court of Case No. title                  Vs....... Application u/s 28 DV Act r/w section 5 of Limitation Act, praying to condone the delay.

1. That  the applicant is filing the accompanying appeal against the impugned order dt....... passed by ....... in DV case no...........of ............... .

2.  that the appeal is pending adjudication before this Hon'ble. Contents thereof are not being reproduced here for brvity sake as such be read as part of this application.

3. That the applicant prays that a delay of ...........days , in filing the appeal may please be condoned, in the interest of justice on the following grounds....

a.  The brief was with the counsel , who sufferred illness from...........to ...................... and thereafter for some urgent personal work, the counsel left for....................... and was not attending the office during this period.  The counsel returned back on .....................and thereafter upon  reading  the  impugned order, the present appeal was got drafted immediately.  The same is being filed thereafter, without there being any further delay. Affidavit of counsel in support is also enclosed.

b.   The re are genuine grounds of attack to the impugned judgment/order of ld. trial court and if the delay is not condoned, and the appeal is not heard on merits, the applicant would be put to sufferr irreparable loss , which could not be compensated with other relief.

c.  That on the contrary, if the delay is condoned , by compensating the other side with costs, at least the matter shall be decided on merits and that in no case would be prejudicial to the rights of the opposite party.

d.  There are sufficient and good cause for condoning the delay, occassioned due to aforesaid bonafide reasons beyound control of the applicant. Hence the application deserves success, in the interest of justice, equity and fair play, as it is well settled that the proceedural law should not be resorted to defeat rights of the parties to get their appeal/case  considred/ decided  on merits..

e/  That it is further a well settled that no litigant should be put to suffer for the lapse of his counsel. In view of the above facts and circumstances , it is most humbly prayed that the delay, if any, in filing the present appeal may please be condoned and the appeal may please be decided on merits, in the interest of justice, equity and fair play.  Any other relief which this HO;ble court deems fit and proper be also passed. Affidavit enclosed Applicant   