

SUPREME COURT OF INDIA

H. Dohil Constructions Co. P. Ltd

Vs.

Nahar Exports Ltd

(Fakkir Mohamed Ibrahim Kalifulla, J. Shiv Kirti Singh, JJ.)

20.08.2014

JUDGEMENT

(Fakkir Mohamed Ibrahim Kalifulla, J. Shiv Kirti Singh, JJ.)

(1.) Leave granted.

(2.) In these appeals the challenge is to the common order passed by the High Court of Delhi dated 16.12.2013 in CM. Nos. 11355 of 2012 and 11354 of 2012 in RFA No. 268 of 2012 etc. There were as many as 22 Regular First Appeals numbered as RFA No. 268 of 2012 to RFA No. 288 of 2012 and RFA No. 319 of 2012 in which the above miscellaneous petitions were filed. In each of these appeals, there were two miscellaneous petitions, one for condoning the delay of 9 days in filing the first appeals and another for condoning the delay of 1727 days in refiling those appeals. By the impugned order, the High Court by stating that for the reasons stated in the applications and subject to payment of cost of Rs. 50,000/- to the counsel appearing for the Respondents in those applications within one week, the delay of 9 days in filing the appeals and 1727 days in refiling the appeals was condoned and the applications were disposed off.

(3.) Simultaneously , the Regular First Appeals were admitted for hearing. It was also noted therein that since there were connected 22 Regular First Appeals already preferred by the Respondents in those miscellaneous petitions which were admitted for hearing and since the questions involved were common in both sets of appeals, the High Court directed the appeals in which delay was condoned to be tagged along with those appeals numbered as RFA No. 219 of 2008 and 21 other appeals for hearing on 29.04.2014. ;