

Limitation Act S. 5, Sufficient Cause – Limitation

A distinction must be made between a case where the delay is inordinate and a case where the delay is of few days and whereas in the former case the consideration of prejudice to the other side will be a relevant factor, in the latter case no such consideration arises.

'23. What needs to be emphasized is that even though a liberal and justice-oriented approach is required to be adopted in the exercise of power under Section 5 of the Limitation Act and other similar statutes, the courts can neither become oblivious of the fact that the successful litigant has acquired certain rights on the basis of the judgment under challenge and a lot of time is consumed at various stages of litigation apart from the cost.

[Maniben Devraj Shah v. Municipal Corporation Of Brihan Mumbai, 2012 PLRonline 0100](#) referred to the pronouncement in **Vedabai v. Shantaram Baburao Patil [(2001) 9 SCC 106]**