

Limitation - Condonation of

Arbitration and Conciliation Act, 1996, Section 34(3) – Commercial Courts Act, 2015, – Merely because sufficient cause has been shown, a party is not entitled to the condonation of delay in question as a matter of right if sufficient cause is not proven :-

“Given the aforesaid and the object of speedy disposal sought to be achieved both under the Arbitration Act and the Commercial Courts Act, for appeals filed under Section 37 of the Arbitration Act that are governed by Articles 116 and 117 of the Limitation Act or section 13(1A) of the Commercial Courts Act, a delay beyond 90 days, 30 days or 60 days, respectively, is to be condoned by way of exception and not by way of rule. In a fit case in which a party has otherwise held to be applicable to arbitration proceedings and others in which it had not so been held.”

Limitation Act, S. 5

[2021 PLRonline 5102](#)

[Government of Maharashtra \(Water Resources Department\) represented by Executive Engineer v. M/s. Borse Brothers Engineers & Contractors Pvt. Ltd., 2021 PLRonline 5102](#)