



Limitation - Expression 'sufficient cause' in Section 5 must receive a liberal construction so as to advance substantial justice and generally delays in preferring appeals are required to be condoned in the interest of justice

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[limitation act s. 5](#), Sufficient Cause - [limitation](#)

'The contours of the area of discretion of the courts in the matter of condonation of delays in [filing](#) appeals are set out in a number of pronouncements of this Court. See : Ramlal, Motilal and Chhotelal v. Rewa Coalfield Ltd. [(1962) 2 SCR 762] ; Shakuntala Devi Jain v. Kuntal Kumari [(1969) 1 SCR 1006] ; Concord of India [insurance](#) Co. Ltd. V. Nirmala Devi [(1979) 3 SCR 694] ; Lala Mata Din v. A. Narayanan [(1970) 2 SCR 90] ; Collector, Land Acquisition v. Katiji etc. There is, it is true, no general principle saving the party from all mistakes of its counsel. If there is negligence, deliberate or gross inaction or lack of bona fide on the part of the party or its counsel there is no reason why the opposite side should be exposed to a time-barred appeal. Each case [will](#) have to be considered on the particularities of its own special facts. However, the expression 'sufficient cause' in Section 5 must receive a liberal construction so as to advance substantial justice and generally delays in preferring appeals are required to be condoned in the [interest](#) of justice where no gross negligence or deliberate inaction or lack of bona fides is imputable to the party seeking condonation of the delay.'

G. Ramegowda, Major v. Special Land Acquisition Officer, Bangalore [(1988) 2 SCC 142],

Venkatachaliah, J.

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