

Rahul Ramkrushna Makode vs Shri Tulja Bhawani District Stadium ... on 10 January, 2020

Bench: Rohinton Fali Nariman, S. Ravindra Bhat

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. 205-206 OF 2020
(Arising out of SLP (C) Nos. 10757-10758 of 2019)

RAHUL RAMKRUSHNA MAKODE

Appella

VERSUS

SHRI TULJA BHAWANI DISTRICT STADIUM COMMITTEE

Respond

O R D E R

Nobody appears for the respondent despite notice being served.

The present matter is covered by our judgment/order in M/s. N.V. International v. State of Assam & Ors. (Civil Appeal No. 9244 of 2019) and Union of India v. Varindera Const. Ltd. (SLP (C)No. 23155 of 2013), in which, this Court has held that even in Section 37 Appeals under the Arbitration and Conciliation Act, 1996, a maximum period of 120 days is fixed to file the appeal, save and except in very exceptional circumstances.

We find that there is a delay of 487 days in filing the Section 37 Appeal in the present case. Therefore, condonation of such a delay by the impugned order dated 05.02.2019 would be contrary to these two judgments. The impugned order therefore is set aside.

The appeals stand allowed.

....., J.

[ROHINTON FALI NARIMAN], J.

New Delhi;
January 10, 2020.

[S. RAVINDRA BHAT]

ITEM NO.37

COURT NO.4

SECTION IX

S U P R E M E C O U R T O F
RECORD OF PROCEEDINGS

I N D I A

Petition(s) for Special Leave to Appeal (C) Nos. 10757-10758/2019 (Arising out of impugned final judgment and order dated 05-02-2019 in CA No. 5711/2018 and CA No. 5716/2018 passed by the

High Court of Judicature at Bombay at Aurangabad) RAHUL RAMKRUSHNA MAKODE
Petitioner(s) VERSUS SHRI TULJA BHAWANI DISTRICT STADIUM COMMITTEE Respondent(s)
Date : 10-01-2020 These petitions were called on for hearing today. CORAM : HON'BLE MR.
JUSTICE ROHINTON FALI NARIMAN HON'BLE MR. JUSTICE S. RAVINDRA BHAT For
Petitioner(s) Mr. Shashibhushan P. Adgaonkar, AOR Mr. Rana Sandeep Bussa, Adv.

For Respondent(s) UPON hearing the counsel the Court made the following O R D E R Nobody
appears for the respondent despite notice being served.

Leave granted.

The appeals stand allowed in terms of the signed order.

(NIDHI AHUJA) (NISHA TRIPATHI) COURT MASTER (SH) BRANCH OFFICER [Signed order is
placed on the file.]