

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 Appellant(s)
VERSUS
SHRI TULJA BHAWANI DISTRICT STADIUM COMMITTEE Respondent(s)

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]

New Delhi;
January 10, 2020.

....., J.
[S. RAVINDRA BHAT]

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

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)
COURT MASTER (SH)

(NISHA TRIPATHI)
BRANCH OFFICER

[Signed order is placed on the file.]