

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. OF 2026
(arising out of SLP(C) Nos.14481-14482/2026)

M/S DAAJ HOTELS AND RESORTS PVT. LTD **APPELLANT(S)**

VERSUS

M/S MFAR CONSTRUCTIONS PRIVATE LIMITED RESPONDENT(S)

ORDER

1. Leave granted.
2. The appellant is aggrieved by the dismissal of its application for condonation of the delay of 42 days in preferring an appeal under Section 37 of the Arbitration and Conciliation Act, 1996¹, against the order dated 11.02.2025 passed in C.O.P. No. 33/2018 by the learned Principal District Judge for Trial and Disposal of Commercial Disputes, Hyderabad, under Section 34 of the 1996 Act.
3. By the impugned common judgment dated 03.03.2026, a Division Bench of the High Court for the State of Telangana at Hyderabad opined that sufficient cause was not shown for the delay and, accordingly, dismissed the application.
4. We may note that the delay in the filing of the appeal was 42 days. In the light of the law laid down by this Court in *Government of Maharashtra (Water Resources Department) v. M/s Borse Brothers Engineers & Contractors Pvt. Ltd.*², and given

1 for short "1996 Act"

2021 6 SCC 460

the length of the delay in the filing of the appeal, we are of the opinion that this was not a case where the appellant ought to have been non-suited on the ground of that delay. However, as it is evident that sufficient cause was not shown in explicit terms in the application filed for condonation of the delay, indicating a rather casual approach to the matter, we are of the opinion that the appellant is liable to pay costs.

5. The appeals are, accordingly, allowed condoning the delay of 42 days in the filing of the appeal. The appeal shall be entertained and disposed of on merits and in accordance with law.
6. The appellant shall pay costs of ₹2,00,000/- (Rupees two lakhs only) to the respondent within a period of two weeks from today.
7. Pending application(s), if any, shall stand disposed of.

.....J.
(SANJAY KUMAR)

.....J.
(SANJEEV SACHDEVA)

NEW DELHI;
JULY 15, 2026.

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition for Special Leave to Appeal (C) Nos. 14481-14482/2026

[Arising out of impugned final judgment and order dated 03-03-2026 in IA No. 1/2025 03-03-2026 in COMCA No. 32/2025 passed by the High Court for The State of Telangana at Hyderabad]

M/S DAAJ HOTELS AND RESORTS PVT. LTD

Petitioner(s)

VERSUS

M/S MFAR CONSTRUCTIONS PRIVATE LIMITED.

Respondent(s)

FOR ADMISSION

Date : 15-07-2026 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KUMAR
HON'BLE MR. JUSTICE SANJEEV SACHDEVA

For Petitioner(s) Mr. Gaurav Agrawal, Sr. Adv.
Ms. Rao Vishwaja, AOR
Mr. P. Vamshi Rao, Adv.

For Respondent(s) Mr. K. Parameshwar, Sr. Adv.
Mr. Mahadev Anyara Mbatla, Adv.
Mr. Naveen Kumar Anyarambhtla, Adv.
Mr. N.sai Kaushal, Adv.
Mr. Mrinal Kumar Sharma, AOR

UPON hearing the counsel, the Court made the following
O R D E R

Leave granted.

The appeals are allowed in terms of the signed order.

Pending application(s), if any, shall stand disposed of.

(BABITA PANDEY)
Astt. Registrar-cum-PS

(PREETI SAXENA)
Court Master (NSH)

(Signed order is placed on the file)