

Case Citation: (2026) ibclaw.in 587 SC
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION
CIVIL APPEAL NOS.8184-8185/2026

UCO BANK

APPELLANT

VERSUS

DEBASHISH NANDA & ANR.

RESPONDENTS

ORDER

1. These appeals, challenging the order dated 29th October, 2025 of the National Company Law Appellate Tribunal, New Delhi, were presented before this Court 5 (five) days beyond the prescribed period of limitation of 45 (forty-five) days. There was also a refiling delay of 99 (ninety-nine) days. The delay of 5 (five) days is not indicated in the office report on limitation being Page A of the appeal paper book.

2. Though the appellant had applied for condonation of refiling delay, it did not seek condonation of 5 (five) days' delay in presenting the appeals.

3. By an *ex parte* order dated 08th May, 2026, delay was condoned by a co-ordinate Bench. Since the appellant had not applied for condonation of delay in presentation of the appeals beyond the prescribed period of limitation, such condonation related to condonation of refiling delay and not to the 5 (five) days' delay in presenting the appeals.

4. Be that as it may, an application has now been filed (I.A. No.231720/2026) by the respondent no.2, upon service of notice, seeking recall of the order dated 08th May, 2026 on the ground

that the appeals are time barred and, hence, not maintainable in the light of the decision of a co-ordinate Bench of this Court in **CA Ramchandra Dallaram Choudhary v. Adani Infrastructure and Developers Private Limited¹**.

5. We have heard learned counsel for the appellant and learned senior counsel for the respondent no.2, applicant in I.A. No.231720/2026.

6. Having regard to the fact that the appellant did not represent facts correctly, the order condoning refiling delay is recalled; also, since the appellant did not seek condonation of 5 (five) days' delay in presentation of the appeals and refiling delay beyond 28 (twenty-eight) days cannot be condoned in view of **CA Ramchandra Dallaram Choudhary** (supra), the appeals are dismissed as time-barred.

7. Interim order, granted earlier, stands vacated forthwith.

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

.....J.
[DIPANKAR DATTA]

.....J.
[SHEEL NAGU]

**NEW DELHI;
AUGUST 11, 2026.**

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

Civil Appeal Nos.8184-8185/2026

UCO BANK

Appellant

VERSUS

DEBASHISH NANDA & ANR.

Respondents

[TO BE TAKEN UP IMMEDIATELY AFTER REGULAR MATTERS]

I.A. No.152925/2026-CLARIFICATION/DIRECTION

I.A. No.134435/2026-EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT

I.A. No.134436/2026-STAY APPLICATION

I.A. No.149741/2026-VACATING STAY

I.A. No.231720/2026-RECALLING THE COURTS ORDER

Date : 11-08-2026 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE DIPANKAR DATTA
HON'BLE MR. JUSTICE SHEEL NAGU

For Appellant(s) : Mr. Brijesh Kumar Tamber, AOR
Mr. Vinay Singh Bist, Adv.
Ms. Chanchala Kumari, Adv.

For Respondent(s) : Mr. Shashwat Anand, AOR

Mr. K. Parmeshwar, Sr. Adv.
Ms. Geetika Sharma, AOR

Mr. Prabhat Ranjan Raj, AOR

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

1. The civil appeals are dismissed as time-barred in terms of the signed order.
2. Pending application(s), if any, shall stand disposed of.

(MANIK KUMAR)
SENIOR PERSONAL ASSISTANT

(SUDHIR KUMAR SHARMA)
COURT MASTER (NSH)

(signed order is placed on the file)