

IN THE COURT OF [DESIGNATION OF THE PRESIDING OFFICER], [PLACE]

[CASE TYPE] No. ____ of 20__

[NAME OF PLAINTIFF / PETITIONER / COMPLAINANT]... Plaintiff / Petitioner /
Complainant

Versus

[NAME OF DEFENDANT / RESPONDENT / ACCUSED]... Defendant / Respondent /
Accused

Next date of hearing: [DATE]

**APPLICATION UNDER SECTION 5 OF THE LIMITATION ACT, 1963 FOR
CONDONATION OF DELAY OF [] DAYS IN FILING THE ACCOMPANYING
[APPEAL / REVISION / APPLICATION]**

Respectfully showeth:

1. That the applicant is filing the accompanying [APPEAL / APPLICATION] against the [JUDGMENT / ORDER] dated [DATE] passed by [COURT].
2. That the period of limitation for filing it expired on [DATE], and there is a delay of [] days.
3. That the delay occurred for the following reasons: [GIVE A DATE-WISE EXPLANATION — e.g. date of knowledge, date of applying for and receiving the certified copy, illness with medical record, other bona fide reasons].
4. That the delay is neither intentional nor deliberate, and the applicant was prevented by sufficient cause from filing within the period of limitation.
5. That the applicant has a good case on merits, as set out in the accompanying [APPEAL / APPLICATION], and will suffer irreparable loss if the delay is not condoned.
6. That the exact appeal or application sought to be admitted is [instrument and statutory provision], for which the Court has a legally available condonation power under [provision]. Any absolute outer limit or special exclusion of Section 5 has been examined.
7. That the relevant order/event is dated []; limitation began on []; the prescribed period is []; lawful exclusions, including certified-copy time where applicable, are [dates and basis]; the last permissible date was []; filing on [] entails [] days of delay.
8. That the delay chronology is: [from–to dates, impediment, steps taken and supporting document]. The explanation covers the material period through actual filing and identifies when the impediment ceased.
9. That after becoming able to act on [date], the applicant took [specific steps and dates]. Any gap thereafter and any allegation of negligence or suppression are answered with [record].
10. That the prejudice and requested terms are [particulars]. Merits of the accompanying proceeding are stated briefly as [issue], without treating an arguable case as a substitute for sufficient cause.

PRAYER

It is, therefore, respectfully prayed that the delay of [___] days in filing the accompanying [APPEAL / APPLICATION] may kindly be condoned, and it may be decided on merits, in the interest of justice.

Place: [PLACE] Date: [DATE]

APPLICANT Through [NAME OF ADVOCATE] Advocate Enrolment No. [___]

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AFFIDAVIT

Affidavit of [NAME OF DEPONENT], [S/o / D/o / W/o] [NAME], aged about [____] years,
resident of [FULL ADDRESS WITH PIN CODE].

I, the above-named deponent, do hereby solemnly affirm and declare as under:

1. That the deponent is competent to swear this affidavit and the accompanying [suit /
petition / application] has been drafted by counsel on the deponent's instructions. Its
contents have been read over and explained in [LANGUAGE], understood by the
deponent, and are incorporated as part and parcel of this affidavit; the factual statements
are true to the deponent's knowledge or identified records, and legal submissions are
based on advice believed to be true.
2. That [no same or similar suit / petition / application on the same cause of action has been
filed / the following prior or pending proceedings, outcomes and orders are fully
disclosed: ____]. Nothing material has been concealed.

DEPONENT

VERIFICATION

Verified at [PLACE] on [DATE] that paragraphs 1 and 2 above are true and correct to my knowledge and
identified records, with legal submissions based on advice believed true. Nothing material has been concealed.

DEPONENT

Note: To be sworn before an Oath Commissioner / Notary Public and stamped as required by the applicable
rules.

PREPARATION AND JUDGMENT APPLICATION

Updated 11 October 2026. Complete every material fact, retain only supported alternatives, and renumber before filing. These notes support professional adaptation; they do not supply missing evidence or guarantee relief.

Filing and relief checks. Section 5 generally concerns appeals/applications and excludes Order XXI applications; it does not extend limitation for a civil suit. Special statutes may have a hard outer cap. Attach a date calculation and evidence rather than a generic “in the interest of justice” assertion.

Before relying on any authority, compare the material facts, procedural stage, statutory version and precise relief; check subsequent treatment and applicable local practice. Keep the authority note separate from the signed pleading. For criminal procedure, determine Section 531 BNSS savings rather than select the code solely from the alleged offence date.