

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

Petition(s) for Special Leave to Appeal (C) No(s). 26477/2026

[Arising out of impugned final judgment and order dated 24-04-2026 in RSA No. 100117/2023 passed by the High Court of Karnataka Circuit Bench at Dharwad]

S.M. MACHINES PVT. LTD.

Petitioner(s)

VERSUS

GALAXY MACHINERY PVT. LTD. & ORS.**Respondent (s)**

IA No. 225344/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

Date : 14-08-2026 This matter was called on for hearing today.

CORAM HON'BLE MR. JUSTICE MANOJ MISRA
HON'BLE MR. JUSTICE VIJAY BISHNOI

For Petitioner(s) Ms. Khushbu Sahu, AOR
Mr. Piyush Sanghi, Adv.
Mr. Nikhil Singh, Adv.
Ms. Sana Parveen, Adv.
Mr. Ashish Mishra, Adv.
Mr. Raahithya Raj Mishra, Adv.
Mr. Jayant Yadav, Adv.
Mr. Aditya Singh Raghuvanshi, Adv.
Ms. Sharmishta Solanki, Adv.
Mr. Naman Jain, Adv.
Ms. Arshiya Goel, Adv.
Ms. Rishika Chahar, Adv.
Ms. Sanskriti Mishra, Adv.

For Respondent(s) **Mr. A. Lakshminarayanan, AOR**
Mr. Sujok Dutta, AOR
Mr. Surekh Kant Baxy, Adv.
Mr. Shubham Raghuwansh, Adv.

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

1. This petition seeks to impugn an order dated 24.04.2026 by which the High Court has rejected I.A. No. 1/2023 seeking condonation of 1630 days of delay

in filing the second appeal.

2. The grievance of the petitioner is that if the High Court was not satisfied with the explanation offered for seeking condonation of delay, it was not open for the High Court to make certain observations thereby giving liberty to the parties to submit their respective memos of calculation before the executing court.

3. In our view, the observation in paragraph 19 of the order of the High Court is a passing observation only to buttress its conclusion that the appeal, which is hopelessly barred by time, need not be entertained. In such circumstances, those observations will not have any bearing on the rights of the parties in the execution proceedings.

4. With the aforesaid observations, this special leave petition stands disposed of.

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

(CHETAN ARORA)
ASTT. REGISTRAR-cum-PS

(SAPNA BANSAL)
COURT MASTER (NSH)