



2026:DHC:8588



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IN THE HIGH COURT OF DELHI AT NEW DELHI

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*Date of Decision: September 29<sup>th</sup>, 2026*

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CNR No. DLHC010309072026

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**W.P.(C) 9686/2026 & CM APPL. 45129/2026**

HARYANA SHEHRI VIKAS PRADHIKARAN .....Petitioner

Through: Ms. Noopur Singhal, Adv.

versus

VIPUN JAG MOHAN CHHABRA

.....Respondent

Through: Mr. Abhay Jain & Mr. Rishabh  
Jain, Advs.**CORAM:****HON'BLE MR. JUSTICE AMIT MAHAJAN****AMIT MAHAJAN, J. (Oral)**

1. By the present petition, the petitioner challenges the order dated 27.05.2026 (hereafter '**impugned order**') passed by the learned National Consumer Disputes Redressal Commission ('**Commission**') in First Appeal No. 277/2026 dismissing the appeal preferred by the petitioner on the ground of delay.

2. Succinctly stated, the respondent was allotted a residential plot bearing no. 180P admeasuring 450 Sq. mt in Sector 77, Urban State, Faridabad for a total consideration of ₹1,29,04,650/- vide allotment letter dated 05.08.2016. The respondent thereafter sent several letters to the petitioner seeking details of their PAN for depositing the TDS amount, however, no response was received. The petitioner also failed to hand over the possession of the said plot to the respondent within three years from the date of allotment as was the requirement stipulated under Clause 7 of the allotment letter. Consequently, the respondent preferred a complaint before the Delhi State Consumer Disputes Redressal Commission.

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3. By order dated 27.09.2023, the complaint preferred by the respondent was allowed and the petitioner was directed to hand over the possession of the said residential plot to the respondent after receiving the pending instalments.

4. Interestingly, the appeal against the order dated 27.09.2023 was filed before the learned Commission only on 18.05.2026, after a delay of 934 days. It was the petitioner's case before the learned Commission that the appeal could not be preferred on time on account of the delay occasioned in seeking approvals at different levels which was required for filing the appeal. By the impugned order, the learned Commission, placing reliance on various decisions rendered by the Hon'ble Apex Court including ***Postmaster General v. Living Media India Ltd. : (2012) 3 SCC 563***, noted that the petitioner is a government body with sufficient wherewithal and dismissed the appeal noting that the justification furnished by the petitioner for condonation of delay was not satisfactory.

5. Aggrieved by the same, the petitioner has preferred the present petition.

6. Before this Court, it has been urged that the possession could not be handed to the respondent because the respondent failed to deposit 15% of the tentative price within 30 days as per the requirement stipulated under Clauses 4 and 5 of the allotment letter. It has also been emphasised that since the respondent failed to deposit the requisite amount within the stipulated time, the allotment stood cancelled.

7. On the aspect of delay, the learned counsel for the petitioner



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submits that the same was caused on account of the failure of the previous counsel to communicate the fate of the complaint before the Delhi State Consumer Disputes Redressal Commission.

8. Before this Court could be persuaded to appreciate the merits of the case, the inevitable hurdle of delay is required to be crossed. Pertinently, a first appeal against a State Commission order is required to be filed before the learned Commission within a period of 30 days.

9. As opposed to the statutory period of limitation of 30 days, the appeal was undisputedly filed after a delay of 934 days. The only ground taken before the learned Commission was that the appeal could not be preferred on time on account of the delay caused in soliciting approval for filing appeal at different levels.

10. As rightly appreciated by the learned Commission, the Hon'ble Apex Court has frowned upon weaponing of the administrative procedure by the Government departments as a ground to seek condonation of delay. The Hon'ble Apex Court, in the case of ***Postmaster General v. Living Media India Ltd. (supra)*** had held that the Government cannot claim to have a separate period of limitation when the Department is possessed with competent persons familiar with court proceedings. The delay cannot be condoned mechanically merely because the Government or a wing of the Government is a party before the Court. The Hon'ble Apex Court had rejected the claim on account of impersonal machinery and bureaucratic methodology of making several notes in view of the modern technologies being used and available.

11. Consequently, unless a satisfactory explanation is provided for



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the delay, the same cannot be condoned.

12. Today, it has been sought to be impressed upon this Court that the delay was caused by the previous counsel who was pursuing the matter before the Delhi State Consumer Disputes Redressal Commission. Even when taken in the best light, this Court is unpersuaded by the arguments raised on behalf of the petitioner.

13. It has been observed in a number of cases that the petitions are filed belatedly and the blame is put on the counsel for not taking appropriate steps. If such arguments are accepted by Courts, the same would only be akin to opening a Pandora's box where petitions could be filed even after decades on the premise of lack of appropriate steps by the counsel.

14. This Court also cannot lose sight of the fact that the period of limitation for filing the appeal is prescribed under the Consumer Protection Act, 2019 for speedy disposal of consumer disputes. If appeals and revisions in consumer matters are entertained belatedly, the whole object of expeditious adjudication of consumer disputes would stand frustrated [Ref. **Anshul Aggarwal v. NOIDA : (2011) 14 SCC 578**].

15. In the light of the aforesaid, no ground to exercise jurisdiction under Article 226 of the Constitution of India is made out.

16. The present writ petition is accordingly dismissed. Pending application also stands disposed of.

**AMIT MAHAJAN, J**

**SEPTEMBER 29, 2026**

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