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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

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*Date of Decision: 14<sup>th</sup> July, 2025*

+ CM(M) 1914/2024  
HDFC BANK LTD

.....Petitioner

Through: Mr. Anupam Singh and Mr. Ajeyo  
Sharma, Advocates.

versus

NARINDER GARG

.....Respondent

Through: None.

**CORAM:**

**HON'BLE MR. JUSTICE MANOJ JAIN**

**J U D G M E N T (oral)**

**CM(M) 1914/2024 & CM APPL. 40833/2025 (stay)**

1. Petitioner seeks stay of the execution petition which is coming up for further consideration before the learned District Forum on 16.09.2025.
2. Learned counsel for petitioner, however, submits that he is ready with arguments with the main petition and, accordingly, in order to appreciate the contentions made in the stay application, the main petition, filed under Article 227 of Constitution of India, has been taken up.
3. The point raised in the present petition is very short and there is no legal issue, as such, which is found involved.
4. A complaint was filed by respondent- Mr. Narinder Garg, with respect to demand raised by the petitioner-Bank in relation to one credit card issued by them.
5. Such complaint was filed way back in the year 2007 and *vide* judgment



dated 04.09.2013, such complaint was allowed.

6. Feeling aggrieved, an appeal was filed by petitioner-Bank before the learned Delhi State Consumer Redressal Commission (in short 'State Commission').

7. Fact, however, remains that there was no appearance from the side of appellant-Bank before the learned State Commission and, resultantly, such appeal was dismissed for *non-appearance* and *non-prosecution* on 01.11.2019.

8. The petitioner-Bank challenged the abovesaid order by filing a revision petition and such revision petition has been dismissed by the learned *National Consumer Disputes Redressal Commission* (in short "NCDRC") on 30.10.2023.

9. Such order dated 30.10.2023 is under challenge.

10. Learned NCDRC noted that learned State Commission was fully justified in dismissing the appeal for *non appearance* and for *non-prosecution* considering the fact that there was no appearance from the side of appellant-Bank for three consecutive dates.

11. Admittedly, the last recorded appearance from the side of the appellant-Bank before the learned State Commission is of 14.05.2018 and, thereafter, nobody appeared from their side on the next three dates i.e. 19.11.2018, 24.05.2019 and 01.11.2019.

12. Resultantly, the learned State Commission was compelled to dismiss the appeal for *non-prosecution*.

13. The sole ground taken by the petitioner-Bank is to the effect that their *non-appearance* was on account of wrong noting of date.

14. However, such argument does not seem to be plausible as when the



appellant-Bank had appeared before the learned State Commission on 14.05.2018, the matter was adjourned for 19.11.2018 and the contention that due to some over sight and communication gap, the date was recorded as 19.11.2019, does not generate any confidence.

15. Be that as it may, the impugned order is based on the factual aspects and no interference, by invoking supervisory jurisdiction under Article 227 of Constitution of India, seems warranted.

16. The petition is, accordingly, dismissed

17. The stay application also stands disposed of in aforesaid terms.

18. The next date i.e. 11.09.2025 is cancelled.

**(MANOJ JAIN)**  
**JUDGE**

**JULY 14, 2025/ss/pb**