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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 11625/2024, CM APPL. 48352-48354/2024**
CENTRAL GOVERNMENT WELFARE HOUSING
ORGANIZATION CGEWHOPetitioner
Through: Mr. Apoorv Agarwal, Advocate

versus

INDER JIT SINGH AHUJARespondent
Through: None.

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER
23.08.2024

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1. The present writ petition assails order dated 20th February, 2024¹ passed by State Consumer Disputes Redressal Commission in Complaint Case No. CC/1443/2018 titled '*Inderjit Singh Ahuja v. Central Govt. Employee Welfare Housing Organisation*', which reads as follows:

"Evidence by way of affidavit filed on behalf of the complainant is on record.

Written synopsis filed on behalf of the opposite party is on record.

Perusal of the order dated 02.11.2020 shows that the written statement was filed beyond the statutory period and the delay in filing the same was not condoned by our learned predecessor WS order be taken off the record.

Relist the matter on 27.05.2024."

2. The contention of the Petitioner is that the order is perverse and passed in an arbitrary manner without considering the facts of the case, reflecting non-application of judicial mind. It is also argued that this order would cause severe prejudice and hardship to the Petitioner as they would be



deprived of his right to defend the proceedings in a fair and equitable manner, therefore contravening the principles of natural justice. Furthermore, it is contended that State Commission has committed a procedural error, thus rendering the Impugned Order to be violative of the legal maxim “*Actus Curiae neminem gravabit*”. Additionally, reliance is placed on several judgments of the Supreme Court, including ‘*Maneka Gandhi Vs. Union of India & Anr.*’², to urge that the Rule of *audi alteram partem* has also not been adhered to in the present case.

3. The Court has heard the counsel for the Petitioner, however, is unpersuaded by the submissions advanced. The Impugned Order is a *simpliciter* procedural order whereby the State Commission, after taking note of the fact that written statement was filed beyond the statutory period, has decided against condoning the delay in filing the same and accordingly directed for the written statement to be taken off the record.

4. In the opinion of the Court, it would be beyond the prerogative of this Court under Article 226 of the Constitution of India, 1950 to enter into the domain of procedural orders passed by the State Commission. Moreover, the Court can also not discern any arbitrariness or unreasonableness in the Impugned Order.

5. Accordingly, the present petition, along with pending applications, is dismissed.

SANJEEV NARULA, J

AUGUST 23, 2024/ab

¹ “Impugned Order”

² (1978) 1 SCC 248