



WEB COPY

WP No. 10749 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-03-2025

CORAM

THE HONOURABLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

WP No. 10749 of 2024

and

W.M.P.No.11830 of 2024

1. BCIL ZED RIA Properties Pvt Ltd.,
Rep by its Managing Director,
37/1-1 Aga Abbas Ali Road,
Bangalore- 560 042.

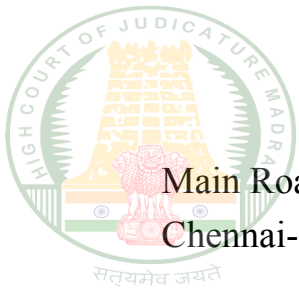
2.BCIL ZED RIA Properties Pvt Ltd (Branch Office)
Rep by its Managing Director Having Branch Office at
Ottiyambakkam Main Road, Karanai, Chennai-603 103.

Petitioner(s)

Vs

1. The Registrar
National Consumer Disputes Redressal
Commission, New Delhi.

2.Arvind
S/o.Ramasamy, Block Q-203, Sos
Brownstar Apartments, Noothancheri



Main Road, Madambakkam,
Chennai-600 126.

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Respondent(s)

PRAYER Writ Petition filed under Article 226 of Constitution of India, seeking for an issuance of writ of certiorari, to call for the records relating to First Appeal No.591 of 2023 dated 30.01.2024 on the file of National Consumer Disputes Redressal Commission, New Delhi, First Respondent herein and to quash the same.

For Petitioner(s): Mr.M.Baskar
and
Ms.M.Kasthuri

For Respondent(s): R1 - NCDRC
Mr.S.V.D.Rajendra Prasad for R2

ORDER

(Order of the Court was made by S.M.Subramaniam J.)

The writ on hand has been instituted challenging the order of the National Consumer Disputes Redressal Commission dated 30.01.2024 in First Appeal No.591 of 2023.

2. The writ petitioner preferred an appeal before the National Consumer Commission challenging the order dated 11.10.2022 passed by the State Commission Tamil Nadu in Complaint No.16 of 2019.



3. The appeal was preferred with the reported delay of 105 days and whereas the self admitted delay by the petitioner was 56 days.

4. The National Consumer Commission elaborately considered the facts. The Bench evaluated the grounds pleaded in the delay condonation application. The plea raised about the belated acquisition of knowledge fails flat from the admission of the petitioners themselves that they had received a letter from the respondent along with the copy of the order on 15.12.2022. The National Commisison found that the sufficiency of the grounds stated in the condonation delay petition is inadequate to invoke the power of discretion, so as to condone the delay.

5. Section 51 of the Consumer Protection Act, confers powers on the National Commission to condone the delay beyond the limitation period of 30 days, unless the Commission is satisfied that there was sufficient cause for not filing the appeal within the time limit prescribed.



6. Since the National Commission has considered the sufficiency of the reasons elaborately and formed an opinion that the power of discretion need not be exercised in the present case, this Court is of the considered opinion that no further interference is called for.

Accordingly, the Writ Petition stands **dismissed**. No costs. Consequently, connected miscellaneous petition is closed.

(S.M.SUBRAMANIAM J.) (K.RAJASEKAR J.)

05-03-2025

veda

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To
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