



**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

116

CWP-21847 of 2025 (O&M)
Date of Decision: 31.07.2025

M/s Omaxe Chandigarh Extension Developers Private Limited

....Petitioner

Versus

Naresh Garg and others

.....Respondents

**CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL
HON'BLE MR. JUSTICE DEEPINDER SINGH NALWA**

Present: Mr. Karanjot Singh Mainee, Advocate, and
Mr. Vishal Chawla, Advocate for the petitioner.

GURVINDER SINGH GILL, J. (Oral)

1. Present petition has been filed under Article 227 of the Constitution of India for setting aside impugned order dated 01.04.2025 (Annexure P-1) in NC/IA/15996/2024 in FA No.NC/FA/907/2024 passed by the National Consumer Dispute Redressal Commission, New Delhi (hereinafter to be referred as 'the National Commission') vide which application filed by the petitioner for condonation of delay of 80 days in filing the appeal was dismissed.

2. We have heard learned counsel for the appellant and perused the paper-book.



3. The relevant extract from the impugned order recorded by the National Commission dated 01.04.2025 (Annexure P-1) delineating the reasons for declining application is reproduced hereunder:-

“9. In the present case, the reasons for delay stated in condonation of delay application are generally the routine administrative internal delays. Reputed builder companies like the appellant herein who are handling such legal cases ought to have taken timely action for filing the appeal within the statutory period. Grounds like time taken to arrange for funds for depositing 50% of awarded amount (statutory deposit for filing appeal) are not valid reasons for a builder company like the appellant herein. We do not find the reasons for delay convincing. As regards reliance placed by the Appellant on the judgment of the Apex Court in *Inder Singh Vs. State of Madhya Pradesh* passed in *SLP (Civil) No.6145 of 2024*, it is to be noted that this judgment was specific to the facts of that case. Delay was condoned in this case keeping in view the peculiar facts of that case and even cost was imposed on the respondent. It is specifically stated by the Hon'ble Apex Court in the said order that the observations are in the context of the impugned order above.

10. Hence, we are of the considered view that the Appellant has not given valid/cogent reasons for delay of 80 days from filing the FA. Thus, in our view, the Appellant, after being aware of the impugned order, acted in a negligent manner and has failed to explain the sufficient cause of delay.

11. In view of the foregoing, we find that sufficient and good grounds have not been made out by the Appellant in the instant case for condonation of delay of 80 days. Accordingly, IA No.



15997 of 2024 is dismissed. Consequently, First Appeal is also dismissed being barred by limitation...”

4. We are in agreement with the observations recorded by the National Commission in order dated 01.04.2025 (Annexure P-1), inasmuch as, the petitioner is a professionally managed company having sufficient resources to avail timely legal advice from experts. As such, no justifiable reason is forthcoming for explaining the delay of 80 days in filing the appeal.
5. We do not find any infirmity in the impugned order dated 01.04.2025 (Annexure P-1) so as to warrant any interference in exercise of powers under Article 227 of Constitution of India.
6. Finding no merit, the present petition is dismissed.

GURVINDER SINGH GILL
JUDGE

DEEPINDER SINGH NALWA
JUDGE

July 31, 2025
d.gulati

Whether speaking	:	Yes/No
Whether reportable	:	Yes/No