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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 3991/2025**

M/S ANANT SHARMAPetitioner

Through: Mr. Yogesh Swaroop and Mr. Mohd.
Asif, Advs.

versus

UNION OF INDIA & ANR.Respondents

Through: Mr. Anurag Ojha, SSC with Mr. Dipak
Raj, Adv.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE SHAIL JAIN

ORDER

% **17.11.2025**

1. This hearing has been done through hybrid mode.
2. The present petition has been filed challenging the impugned order dated 13th September, 2024 by which the appeal of the Petitioner against the Order-in-Original dated 19th February, 2020 was rejected on the ground of limitation.
3. The grievance of the Petitioner is that no hearing was granted in this matter. There is no dispute that the appeal was time barred. The only issue is whether the delay, is liable to be condoned or not.
4. Ld. Counsel for the Petitioner submits that the Petitioner has filed the returns regularly and therefore he may be given an opportunity to contest the matter.
5. It is admitted by Mr. Dipak Raj, ld. Counsel appearing on behalf of Mr. Anurag Ojha, ld. SSC for the Respondent that there was, in fact, no reply filed though the impugned order records to the contrary.
6. Without going into this issue, it is noted that in the Order-in-Original dated 19th February, 2020, the cancellation has been directed with effect from



19th February, 2020 and is not retrospective. In fact, the Petitioner was also given opportunities to appear before the Adjudicating Authority but the same was not availed of.

7. In these overall circumstances, considering the fact that appeal was not dismissed on merits but only on limitation, a conditional order permitting the Petitioner's appeal to be heard on merits deserves to be passed.

8. Accordingly, the Petitioner shall deposit costs of Rs. 20,000/- with the Delhi High Court Staff Welfare Fund within two weeks, subject to which the appeal is restored to the original number before the Commissioner (Appeals). The account details of the said account is as under:

Name: Delhi High Court Staff Welfare Fund

Account No. 15530110074442

Bank and Branch: UCO Bank, Delhi High Court

9. The Commissioner (Appeals) shall afford a hearing to the Petitioner and decide the matter in accordance with law on merits.

10. The hearing notice shall be served on the following email address and mobile number:

Email: yogeshwroop@gmail.com

Mobile No.: 9810371649

11. The petition is disposed of in the above terms. Pending applications if any are also disposed of.

PRATHIBA M. SINGH, J.

SHAIL JAIN, J.

NOVEMBER 17, 2025/kp/msh