Sr. No.19

IN THE HIGH COURT OF JAMMU & KASHMIR AND LADAKH AT SRINAGAR

CM(7171/2026) IN CM(M) 481/2026
CM(7170/2026)

FIL INDUSTRIES PRIVATE LIMITED TH.ITS AUTHORISED REPRESENTATIVE …Petitioner(s)/appellant(s)

Through: Mr. Vikas Malik, Advocate

Vs.

JAHANGIR AHMED PARA ...Respondent(s)

Through:

CORAM:

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE MOHD YOUSUF WANI, JUDGE

O R D E R
21.10.2026

01. The limited bone of contention of learned counsel for the petitioner is that, while the matter was being agitated before the State Consumer Disputes Redressal Commission, the application for condonation of delay in filing the written submissions was rejected on 14.12.2023.

02. Learned counsel for the petitioner submits that, if the written submissions are not taken on record and the proceedings continue, prejudice shall be caused to the petitioner, and irreparable damage shall be caused to the petitioner's case.

03. Learned counsel for the petitioner has taken this Court to the order dated 18.06.2026 passed by the National Consumer Disputes Redressal Commission, whereby the appeal against the rejection of the application for condonation of delay was dismissed.

04. Learned counsel has also taken this Court to paragraphs 17, 18 and 19, which read as follows:

> **"….17.** The learned counsel for the appellant relied upon "Reliance General Insurance Co. Ltd. v. Mampee Timbers & Hardwares (P) Ltd." (supra) and submitted that this period may be extended beyond forty-five days, as has been decided by the Hon'ble Apex Court in this matter.
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> **18.** Gone through the above-cited case law, wherein the Hon'ble Supreme Court has laid down as under:
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> > "5. We consider it appropriate to direct that pending decision of the larger Bench, it will be open to the Fora concerned to accept the written statement filed beyond the stipulated time of 45 days in an appropriate case, on suitable terms, including the payment of costs, and to proceed with the matter."
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> **19.** Thus, the period of forty-five days can be extended, but only in appropriate cases and on suitable terms. In the matter in hand, there is a delay of 71 days in filing the written version before the learned State Commission, and that delay has not been properly explained. In such a situation, there appears to be no reason to interfere with the order passed by the learned State Commission. Hence, this appeal deserves to be dismissed and is dismissed accordingly.
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> Interim applications pending, if any, shall stand disposed of accordingly."

05. Learned counsel for the petitioner submits that, once the Hon'ble Apex Court has left it open to the Commission to accept the written submissions and, in the interest of justice, upon payment of certain costs, the National Commission should have permitted the written submissions to be taken on record.

06. In view of the limited submissions made and the limited ambit of the adjudication sought, the present petition is allowed in terms of the judgment of the Hon'ble Apex Court in the matter of *Reliance General Insurance Co. Ltd. v. Mampee Timbers & Hardwares (P) Ltd.*, subject to

the payment of costs of ₹25,000/-. Accordingly, the delay is condoned, and the written submissions be taken on record. The State Commission shall proceed with the matter after taking the written submissions on record, strictly in accordance with law. Before the Commission proceeds further, the petitioner shall be required to present a proof of deposit of costs of ₹25,000/- before the State Commission, whereupon the said amount shall be released in favour of the private respondents.

(MOHD YOUSUF WANI)
JUDGE

(DR. PUSHPENDRA SINGH BHATI)
CHIEF JUSTICE

SRINAGAR
21.10.2026
Shameem H.