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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 5287/2026 and CM APPL. 25968/2026**

UMMEED HOUSING FINANCE PVT LTDPetitioner

Through: Mr. Sumit Goswami, Advocate

versus

NITIN

.....Respondent

Through: Mr. Vikas Tomar, Mr. Sachin Singh
Sikarwar, Mr. Vishal Lamba, Mr.
Nitesh Baliyan, Advocates.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV

ORDER

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20.04.2026

1. The instant petition is for the following reliefs:-

“a) Issue an appropriate writ, order or direction in the nature of certiorari quashing/set aside the order dated 06.02.2026 passed by Hon'ble State Consumer Dispute Redressal Commission, Delhi in Revision Petition 7 /2026 vide title as Ummeed Housing Finance Limited vs. any other appropriate direction to the respondent no.2 to issue a surviving member certificate on the basis of documents submitted by the Petitioner.

b) Pass any other order or direction in the present case, as this Hon'ble Court deems fit in the interest of justice.”

2. Section 38(2)(a) of the Consumer Protection Act, 2019 requires the opposite party to file its version within 30 days from receipt of the admitted complaint, or within such further period, not exceeding 15 days, as may be granted by the District Commission. The said provision reads as under:-

“38. ..



(2) Where the complaint relates to any goods, the District Commission shall,-

(a) refer a copy of the admitted complaint, within twenty-one days from the date of its admission to the opposite party mentioned in the complaint directing him to give his version of the case within a period of thirty days or such extended period not exceeding fifteen days as may be granted by it;”

3. In the instant case, the petitioner’s version came to be filed beyond 30 days, however, within the outer statutory limit of 45 days. The District Consumer Disputes Redressal Commission was, therefore, justified in concluding that the reply should not be taken on record without explaining the circumstances requiring Condonation of delay beyond 30 days.

4. Learned counsel appearing on behalf of the petitioner submits that there was sufficient reason, which prevented him from placing his version on record within the initial 30 days. He further submits that he is ready to bear reasonable costs as the Court may impose, for taking on record his version.

5. The aforementioned submissions are strongly opposed by learned counsel for the respondents. He submits that the matter have been delayed on one pretext or the other, and the ultimate victim is the complainant. He also submits that the proceedings are at the stage of final arguments.

6. Having considered the explanation rendered by the petitioner accounting for a delay of 12 days, due to miscommunication on the part of the proxy counsel who appeared for the petitioner on 12.03.2025, and failed to understand that a reply had to be filed within a stipulated period.

7. Having considered the overall facts and circumstances, the Court finds that subject to payment of some cost, the version of the petitioner shall



be directed to be taken on record. Therefore, the Court directs that subject to payment of costs of Rs.25,000/- by the petitioner to the respondent within a period of fifteen (15) days from date of receiving the order, let the petitioner's version be taken on record, failing which the concerned Commission shall proceed on merits.

8. With the aforesaid observations, the instant petition along with the pending application stands disposed of.

PURUSHAINDR KUMAR KAURAV, J

APRIL 20, 2026

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