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

+ LPA 387/2026

DELHI DEVELOPMENT AUTHORITYAppellant

Through: Mr. Arun Birbal and Mr. Sanjay
Singh, Advocates.

versus

VINOD CHAWLA THROUGH LRSRespondents

Through: Mr. Jatan Singh, Senior Advocate
with Mr. Arun Adlakha, Mr.
Siddharth Singh, Ms. Vanshika
Adhana, Mr. Jashank Shrivastava and
Mr. Kartikeya Basoya, Advocates.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE TEJAS KARIA

ORDER

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19.05.2026

CM APPL. 34103/2026 (Condonation of delay in filing the Appeal)

CM APPL. 34106/2026 (Condonation of delay in re-filing the Appeal)

1. Heard the learned Counsel for the Appellant and the learned Senior Counsel for the Respondents.
2. These are two Applications, whereby, the delay of 259 days in filing the present Appeal and delay of 171 days in re-filing the Appeal have been sought to be condoned.
3. Having perused the averments made in the Applications, we are not satisfied that the delay has sufficiently been explained. The judgment by the learned Single Judge is passed on 03.02.2025 (“**Impugned Judgment**”) and what all have been stated in the Application seeking condonation of delay in filing the Appeal is that the Impugned Judgment was examined and it was



decided to file the Letters Patent Appeal and the matter was, accordingly, addressed to the Counsel for filing it on 15.04.2025. No explanation comes forth as to why a period of more than two months was taken by the Delhi Development Authority (“**DDA**”) Officials to take the decision for challenging the Impugned Judgment passed by the learned Single Judge.

4. The Application further states that thereafter, e-inspection of the writ file was applied, however, nothing has been indicated in the Application as to whether or not e-inspection of the writ file was conducted. Instead, it has been stated that it was found by the department concerned that the file of the writ petition was with the earlier Advocate, who was entrusted to conduct the proceedings of the writ petition and, thereafter, the file was called for from the office of the earlier Advocate, which was received on 30.06.2025. The time taken in procuring the file from the earlier Advocate, who contested the writ petition on behalf of DDA is again two and a half months and no plausible reason comes forth for explaining such delay caused in procuring the file from the earlier Advocate.

5. It is further stated that the file of the writ petition thereafter was forwarded to the present Counsel for preparing the Letters Patent Appeal, but it was found that the copy of the file of the writ petition, which was received from the earlier Advocate, was not complete and, thereafter, the file was completed. The Appeal was then filed on 18.11.2025, however, in the Application for condonation of delay, no explanation has been given as to what transpired from 30.06.2025 till the filing of the Appeal which delayed the filing of the Appeal.

6. The cause shown for filing the Appeal, in our opinion, is thus insufficient and, accordingly, the delay is not liable to be condoned.



7. Similarly, if we peruse the averments made in the Application seeking condonation of delay in refiling, what we find is that on fling of the Appeal on 17.11.2025, certain objections were raised by the Registry on 18.11.2025, which are said to have been removed and the Appeal was refiled on 18.11.2025. Thereafter, again certain objections were raised, which according to the learned Counsel for the Appellant, were new objections. Once the new objections were raised on 18.11.2025, the Appeal was refiled only on 16.05.2026. No explanation comes forth as to why a period of four months was taken by the Appellant to remove the new objections notified on 18.11.2025. It has only been stated that in view of the new objections raised on 18.11.2025, certain documents were required to be refiled. Such explanation, in our opinion, is also not sufficient.

8. The Hon'ble Supreme Court in a latest Judgment in ***State of Odisha & Ors. v. Managing Committee of Namatara Girls High School***, 2026 INSC 148, has clearly observed that condonation of delay cannot be claimed as a matter of right rather it is the discretion of the Court whether to condone the delay or not. The Hon'ble Supreme Court has further observed that in case State or its Authorities are found to be utterly lethargic, tardy and indolent, in appropriate cases the delay may not be condoned.

9. Having regard to the facts as pleaded in these Applications and the law laid down by the Hon'ble Supreme Court in ***State of Odisha*** (supra), we find that the delay in fling and refiling the Letters Patent Appeal have not been sufficiently explained.

10. Accordingly, the Applications are rejected.



LPA 387/2026, CM APPL. 34104/2026 & CM APPL. 34105/2026

11. In view of the Order passed above in CM APPL. 34103/2026 and CM APPL. 34106/2026, the present Appeal as well as pending Applications are dismissed.

12. At this juncture, the learned Counsel for the Appellant has stated that the learned Single Judge, while allowing the writ petition, has as a measure of cost directed that the cost of purchase of stamp paper as well as the registration charges for execution and registration of the Conveyance Deed shall be borne by the DDA.

13. The learned Senior Counsel for the Respondents, however on instructions, stated that the cost of purchase of stamp paper as well as the registration charges for execution and registration of the Conveyance Deed shall be borne by the Respondents. We thus note the statement made by the learned Senior Counsel for the Respondents.

14. We direct that the Impugned Judgment passed by the learned Single Judge shall thus be complied forthwith.

DEVENDRA KUMAR UPADHYAYA, CJ

TEJAS KARIA, J

MAY 19, 2026

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