2026 INSC 1254

REPORTABLE

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.....OF 2026
(@ SLP (CIVIL) NO.9105 OF 2025)

DELHI DEVELOPMENT AUTHORITY **...APPELLANT(S)**

VERSUS

SUDARSHAN MANJHI & ORS. **...RESPONDENT(S)**

J U D G M E N T

VIKRAM NATH, J.

1. Leave granted.
2. The present appeal arises from the judgment and order dated 23.10.2024 passed by the High Court of Delhi at New Delhi (hereinafter referred to as the "High Court") in CM(M) No. 3690 of 2024, whereby the High Court dismissed the petition filed by the appellant, Delhi Development Authority (hereinafter referred to as the "DDA"), challenging the order dated 07.06.2024 passed by the National Consumer Disputes Redressal Commission (hereinafter referred to as the "National Commission") in Revision Petition No. 1621 of 2022. By the said order, the National Commission declined to condone the delay in filing the revision petition against the order dated 09.04.2021 passed by the State

Consumer Disputes Redressal Commission, Delhi (hereinafter referred to as the "State Commission"), and consequently dismissed the revision petition on the ground of limitation.

3. The facts giving rise to the present appeal are as follows:

3.1. Smt. Bachhi Devi, the predecessor-in-interest of the respondents, applied for allotment of a residential flat under the Expandable Housing Scheme, 1996, floated by DDA. Pursuant to a draw of lots held on 21.03.1997, she was allotted Flat No. 286, Sector B-4, Pocket 6, Narela, Delhi. DDA thereafter issued a demand-cum-allotment letters dated 12.01.2000 to 20.01.2000, requiring payment of the prescribed amount within the stipulated period.

3.2. According to DDA, the demand-cum-allotment letter was sent to the correspondence address furnished by the allottee, whereas she denied having received it. Upon non-payment, DDA issued a show cause notice dated 09.08.2001 proposing cancellation of the allotment. Despite her representations seeking issuance of a proper demand letter, DDA informed her on 20.10.2003 that the allotment had been cancelled.

3.3. Aggrieved thereby, the allottee instituted Consumer Complaint No. 36 of 2009 before the District Consumer Disputes Redressal Forum-II, New Delhi (hereinafter referred to as the "District Forum"), alleging deficiency

in service. By order dated 11.08.2015, the District Forum dismissed the complaint, holding that the demand-cum-allotment letter had been sent to the correspondence address furnished by the allottee and that the cancellation was justified.

3.4. The allottee challenged the said order before the State Commission in First Appeal No. 462 of 2015. By order dated 09.04.2021, the State Commission allowed the appeal, holding that the demand-cum-allotment letter had not been duly served upon the allottee. Consequently, DDA was directed to allot an alternative flat at the rates prevailing at the time of the original allotment.

3.5. DDA challenged the aforesaid order before the National Commission by filing Revision Petition No. 1621 of 2022 on 02.12.2022, along with an application for condonation of delay. The revision petition was reported to have been filed with a delay of 512 days. DDA sought exclusion of the period covered by the orders of this Court extending limitation during the COVID-19 pandemic and attributed the remaining delay of 95 days to administrative procedures, change of counsel and procurement of the certified copy.

3.6. By order dated 07.06.2024, the National Commission dismissed the application for condonation of delay and consequently the revision petition, holding that DDA

had failed to establish sufficient cause for the remaining delay of 95 days.

3.7. DDA thereafter approached the High Court under Article 227 of the Constitution of India. By the impugned judgment dated 23.10.2024, the High Court dismissed the petition, holding that DDA had failed to act with due diligence and that no ground for interference with the order of the National Commission was made out.

4. Being aggrieved by the impugned judgment, the appellant has preferred the present appeal.

5. The limited question that arises for our consideration is whether the National Commission was justified in declining to condone the delay in filing the revision petition and whether the High Court erred in affirming the said decision.

6. We have heard learned counsel for the parties and have carefully perused the material placed on record. The principles governing condonation of delay are well settled by this Court. In ***Collector, Land Acquisition, Anantnag and Another v. Mst. Katiji and Others***[1]**,** this Court held that the expression "sufficient cause" must receive a liberal interpretation so as to advance substantial justice. Similarly, in ***N. Balakrishnan v. M. Krishnamurthy***[2]**,** this Court observed that the length of delay is not decisive and

[1] ***(1987) 2 SCC 107***
[2] ***(1998) 7 SCC 123***

that the acceptability of the explanation furnished is the relevant consideration. The approach must therefore be pragmatic and justice-oriented, while ensuring that the requirement of sufficient cause is not rendered meaningless.

7. In the present case, the National Commission recorded that the revision petition had been filed with a delay of 512 days. However, a substantial part of this period stood excluded pursuant to the orders passed by this Court in In Re: Cognizance for Extension of Limitation, Suo Motu Writ Petition (Civil) No. 3 of 2020, whereby the period from 15.03.2020 to 28.02.2022 was directed to be excluded for computing limitation. The National Commission itself acknowledged the applicability of this exclusion and proceeded to examine the explanation furnished by DDA for the remaining delay of 95 days.

8. The material on record indicates that the delay occurred during the process of obtaining administrative approval, engaging panel counsel and procuring the certified copy of the order sought to be challenged. It is true that DDA ought to have acted with greater diligence and that change of counsel or internal administrative procedures cannot, by themselves, justify every delay. Nevertheless, these circumstances must be considered cumulatively rather than in isolation. The explanation furnished discloses the steps undertaken in pursuing the remedy, and there is

nothing on record to suggest that the delay was deliberate or intended to secure any undue advantage. The fact that the District Forum and the State Commission had arrived at different conclusions also makes it appropriate that the challenge be examined on merits, without expressing any opinion on the correctness of either decision.

9. In our considered view, the National Commission adopted an unduly restrictive approach in assessing the explanation furnished by DDA. The High Court, while affirming that decision, also failed to give sufficient weight to the cumulative circumstances in which the delay had occurred. Having regard to the principles laid down by this Court and the particular facts of the present case, we are satisfied that sufficient cause has been made out for condonation of delay. While we do not approve of the lack of diligence exhibited by DDA, we are of the view that the interests of justice would be better served by permitting the revision petition to be considered on merits rather than terminating the proceedings at the threshold.

10. Accordingly, the appeal is allowed. The impugned judgment and order dated 23.10.2024 passed by the High Court in CM(M) No. 3690 of 2024 and the order dated 07.06.2024 passed by the National Commission in Revision Petition No. 1621 of 2022 are hereby set aside.

11. Consequently, the delay in filing Revision Petition No. 1621 of 2022 stands condoned. The revision petition is

restored to the file of the National Commission for consideration and disposal on merits, in accordance with law, after affording an opportunity of hearing to the parties. It is clarified that we have not expressed any opinion on the merits of the dispute, and all contentions of the parties are left open.

12. Pending applications, if any, stand disposed of.

.....J.
[VIKRAM NATH]

.....J.
[APARESH KUMAR SINGH]

NEW DELHI;
NOVEMBER 20, 2026