

RCA DJ 10/20
DELHI DEVELOPMENT AUTHORITY
Vs.
JAYA GROVER

03.04.2024

Present : Mr. Kshitiz Ahuja, Ld. Counsel for DDA.
Mr. Ramesh Kumar, Ld. Counsel for respondent.

At this stage, application for condonation of delay in filing the appeal is taken up.

Ld. Counsel for appellant submits that since the appellant is a statutory body, considerable time consumed in approvals for preferring the appeal and thus, delay on account of administrative reason may kindly be condoned. In support, he has relied upon the office file notings.

Strongly opposed by the ld. Counsel for non-applicant/ respondent on the ground that as per office file notings, the office of appellant was of the opinion that no appeal should be preferred in the instant case, therefore they cannot take a contradictory stand by filing the appeal. He further submits that even as per the office notings, there is no justifiable ground for seeking condonation of delay in filing the appeal.

Submissions heard. Record perused. Considered.

As per record, there is a delay of around 80 days in preferring the appeal caused due to administrative latches. Appellant being a statutory body requires a long drawn process

before any decision is to be taken. Further, divergent opinions recorded in office file notings on the merits of the appeal have no bearing on this application. Though, mere procedural delay is not a justifiable ground for condonation, however, in the interest of justice and to decide the lis of merits, the application seeking condonation of delay in filing the appeal stands disposed of as allowed subject to cost of Rs.5,000/- to be deposited in DLSA, East, KKD on or before the next date of hearing.

Ld. Counsel for respondent sought adjournment to file reply to the memorandum of appeal. Let the same be filed within stipulated period with advance copy to the opposite party.

Put up for arguments on appeal on **07.08.2024**.

(Ajay Garg)
Additional District Judge-01
(East)/KKD/Delhi/03.04.2024