

IN THE COURT OF SH. PITAMBER DUTT :
PRINCIPAL DISTRICT & SESSIONS JUDGE-CUM-
PRESIDING OFFICER, RENT CONTROL TRIBUNAL,
PATIALA HOUSE COURTS, NEW DELHI.

RCT ARCT No. 3/2026
CNR No. DLND01-001128-2026

M.P. Arora
S/o. Sh. R.C. Arora
Flat No.32, First Floor,
Shankar Market,
Connaught Place,
New Delhi-110001

Also at:
C-3/159, Janakpuri,
New Delhi-110058

.....Appellant

Versus

Harsh Vardhan Nayyar
S/o. Late Shri Mohan Lal Nayyar
R/o. 400, West 43rd Street # 45N,
New York, NY 10036, USA

Service to be effected through:

Shri Akshit Pradhan
Advocate (As he has filed the caveat on behalf of the
respondent)
A-16, LGF, Lajpat Nagar-III,
New Delhi-110024

.....Respondent

Date of Institution	:	03.02.2026
Arguments heard on	:	18.07.2026
Date of Order	:	14.08.2026

Appearances:-

**Sh. M.P. Arora, appellant in person.
Sh. Akshit Pradhan and Sh. Divyansh Agrawal,
Ld. Counsels for the respondent.**

Order:

1. Vide this Order I shall decide an application filed by the appellant U/s 5 of Limitation Act for seeking condonation of delay in filing the accompanying appeal.
2. The appellant/applicant has averred that the order was passed on 16.09.2025 and he applied the certified copy of the same on 13.10.2025, which was prepared on 06.11.2025, thus, there is a delay in filing the appeal.
3. The appellant/applicant has further averred that he is senior citizen of 66 year of age and due to ill-health, he could not file the present appeal within the period of limitation and there is a delay of more than 65 days. He further averred that he has been suffering from Trigeminal Neuralgia for a number of years. On 29th October, the appellant was in Patiala House Court when he suddenly had shoot up pain in nerves leading to the brain and had electric current like shocks. One of the associates took him to the Clinic in Patiala House Court, where doctor after examining him,

prescribed certain medicine and referred him to Neurology Department, Delhi Government Hospital for further treatment. It is further averred that the delay in filing the appeal is neither intentional or deliberate. On that basis, it is prayed that delay of about 65 days in filing the accompanying appeal may be condoned.

4. The respondent has filed a reply thereby controverting the averments made in the application. It is averred that appellant applied for certified copy of the impugned order on 13.10.2025, which was prepared on 06.11.2025. But still, the appeal has been filed after expiry of 30 days from the date of impugned order. It is further averred that appellant has failed to demonstrate sufficient cause for the said delay. The sole medical ground advanced by the appellant for delay does not constitute sufficient cause under the law. No documentary evidence has been adduced in favor of the averment, hence, same cannot be blindly relied upon. Other averments have been denied. It is prayed that application be dismissed.
5. I have heard appellant/applicant in person, Ld. Counsel for the respondent, perused the application and its reply.

6. Perusal of the same shows that the accompanying appeal has been filed against impugned order dated 16.09.2025 on 03.02.2026 i.e. after the expiry of 30 days period prescribed for filing the appeal, as per the law.
7. The applicant, who has filed this appeal in person, has claimed that he is senior citizen suffering from neurological ailment, due to which he got an attack in the Court on 29th October and he was referred for neurology department of Delhi Government Hospital for further treatment. The only ground taken by the applicant in the application is his old age and his medical condition.
8. The ground mentioned in the application is duly supported by the affidavit of the applicant in support of the application.
9. No doubt, the appeal should have been filed by the appellant within 30 days from the passing of the impugned order and the delay occasion need to be explained.
10. In the instant case, the appellant applicant has explained the cause of delay for not filing appeal within the specified time on the ground that he is a senior citizen and suffering from neurological issue,

due to which he was getting treatment and could not file appeal within the time and thus a delay of around 65 days has occasioned in filing the accompanying appeal.

11. No prejudice would be caused to the respondent, if the delay in filing the accompanying appeal is condoned and the appeal filed by the appellant is considered and heard on merit and decided on merit.
12. Keeping in view the above facts and circumstances, application filed by appellant applicant for seeking condonation of delay is allowed. The delay in filing the accompanying appeal is condoned.

Announced in Open Court
On 14th August, 2026

(Pitamber Dutt)
Principal District & Sessions Judge
New Delhi District, Patiala House Courts
New Delhi