



2026:CGHC:3991

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WP227 No. 1042 of 2025

Agriculture Insurance Company Of India Ltd. Through Regional Manager,
Address - Regional Office L I C Investment Building, Phase - 2, Second
Floor, Pandri, Raipur Chhattisgarh Alternate Address - Office Block - 1, Fifth
Floor, Plate B And C, East Kidwai Nagar, New Delhi, 110023

--- **Petitioner**

versus

1 - Damodar Patel S/o Narottam Patel Aged About 47 Years Occupation -
Agriculturist, R/o Village - Bichhiya (Saraipali), District - Mahasamund
Chhattisgarh

2 - Branch Manager Bank Of Baroda, Branch Saraipali Post, Tehsil -
Saraipali, District - Mahasamund Chhattisgarh

--- **Respondents**

WP227 No. 1069 of 2025

Agriculture Insurance Company Of India Ltd. Through Regional Manager,
Address - Regional Office Lic Investment Building, Phase - 2, Second Floor,
Pandri Raipur (C.G.) Alternate Address - Office Block- 1, Fifth Floor, Plate B
And C, East Kidwai Nagar, New Delhi, 110023

---**Petitioner**

Versus

1 - Gopinath Alias Loknath Pradhan S/o Madhu Pradhan Aged About 62 Years Profession Agriculturist R/o Village- Palasapali Post- Ankori Via Basna, P.H.No. 48, R.N.M. Basna, Tehsil- Basna District- Mahasamund (Chhattisgarh) - 493445

2 - Chudamani Pradhan S/o Atmaja Madhu Pradhan Aged About 56 Years Profession Agriculturist, R/o Village- Palasapali Post- Ankori Via Basna, P.H.No. 48, R.N.M. Basna, Tehsil- Basna, District- Mahasamund (Chhattisgarh).

3 - Axis Bank Limited Through Branch Manager, Branch Basna, Tehsil- Basna, District- Mahasamund (C.G.), 493445.0

4 - State Of Chhattisgarh Through Collector, Mahasamund, District- Mahasamund, (C.G.), 493445.

--- Respondent

WP227 No. 1078 of 2025

Agriculture Insurance Company Of India Ltd. Through Regional Manager, Address- Regional Office Lic Investment Building, Phase- 2, Second Floor, Pandri, Raipur (C.G.) Alternate Address- Office Block- 1, Fifth Floor, Plate B And C, East Kidwai Nagar, New Delhi 110023

---Petitioner

Versus

1 - Dolamani Patel S/o Shri Chandan Singh Occupation- Agriculturist, R/o Village- Bidiyam, (Sagarpali), Tehsil- Basana, District- Mahasamund (C.G.)

2 - Branch Manager Bank Of Baroda, Branch Saraipali Post, Tehsil- Saraipali, District- Mahasamund (C.G.)

--- Respondents

For respective Petitioners	: Mr. Shobhit Mishra and Mr. Suraj Patel, Advocates
For Res./Complainant	: Mr. R.S. Patel, Advocate

For Res./Bank : Mr. Ankit Singhal, Advocate

{Hon'ble Mr. Justice Sachin Singh Rajput}

Order on Board

22/01/2026

1. As identical issue is involved in the all the writ petitions filed under Article 227 of the Constitution of India, they are being heard analogously and decided by this common order.
2. Challenge in these writ petitions is to the common order dated 22.05.2025 passed by the National Consumer Disputes Redressal Commission, New Delhi (for short, "National Commission") in Second Appeal Nos. 199 of 2025, 200 of 2025 & 201 of 2025, respectively, whereby, second appeals filed by the respective petitioners under Section 51 of the Consumer Protection Act, 2019 (henceforth, "Act, 2019") were dismissed being barred by limitation.
3. For the sake of convenience, Writ Petition (227) No. 1042 of 2025 would be taken-up as lead case.
4. Learned counsel appearing for the petitioner would submit that respondent No. 1 / complainant filed complaint under Section 35 of the Act, 2019 before District Consumer Disputes Redressal Commission, Mahasamund, District Mahasamund (C.G.) (for brevity, "District Commission"), which was registered as Complaint Case No. 140/2022. The prayer of the complainant before the District Commission was to grant compensation for the loss caused to his crop, which was insured under the Prime Minister Crop Insurance Scheme. Learned District Commission vide its order dated 5th February, 2024 allowed the complaint filed by the respondent No.1/complaint directing the

petitioner to pay a sum of Rs. 1,34,705/- for the crop insurance alongwith interest @ 6% per annum on the said amount. It is further directed that the petitioners shall also pay an amount of Rs. 7,000/- to the complainant for mental agony within a period of 45 days from the date of receipt of copy of the said order. The said order was subject to challenge by petitioner by filing an appeal under Section 41 of the Act, 2019 before the Chhattisgarh State Consumer Disputes Redressal Commission, Pandri, Raipur {for short, "State Commission"}, which was allowed in part and the amount of compensation awarded by the District Commission was apportioned between complainant and respondent No. 2-Bank vide its order dated 18.09.2024. Against which, the petitioner had preferred these second appeals before the National Commission, which vide impugned order dismissed the same being barred by limitation.

5. Learned counsel for the petitioner submits that the finding recorded by learned National Commission is bad in law, the delay in filing the second appeals is only 188 days, the petitioner was able to show sufficient cause for not filing the appeal within the period of limitation. As such, learned National Commission is committed grave illegality in rejecting the appeal filed by petitioner, thus, the impugned order deserves to be set aside.
6. Per contra, Mr. R.S. Patel, learned counsel appearing for respondent No. 1 would submit that impugned order passed by National Commission is based on proper appreciation of material available on record, which does not call for any interference in the instant writ petition. He submits that the petitioner is not able to show sufficient cause for the delay in filing the second appeal, thus, the writ petition is

liable to be dismissed.

7. Mr. Singhal, learned counsel appearing for respondent No. 2 would submit that respondent No. 2-Bank has already complied with the orders passed by the State Commission and the amount, which was directed to be paid by the respondent No. 2, has already been deposited before the District Commission and the same may have been received by the complainant.
8. I have heard learned counsel for the parties and perused the material available on record.
9. The case appears to be with regard to payment of insurance claim under the Prime Minister Crop Insurance Scheme. It also appears from the record that initially the District Commission has passed an order of payment of insurance amount, as stated above, against the petitioner. In an appeal before State Commission, the order passed by the District Commission was modified to the extent that the petitioner and respondent No. 2/Bank would pay the awarded amount in the equal share. Challenging the same, the petitioner had filed second appeal before the National Commission.
10. From the perusal of impugned order, it appears that the ground, which has been taken in the application for condonation of delay that under the mistaken belief revision petition was filed before the National Commission, but it was asked by the Registry of National Commission to file a second appeal. Thus, there was a delay in filing the second appeal before the National Commission. Learned National Commission while passing the impugned order dated 22.05.2025 has relied upon various judgments of the Supreme Court in the matters of ***Anshul Aggarwal Vs. New Okhla Industrial Development***

Authority, reported in **IV (2011) CPJ 63 (SC)**, **Basavraj & another vs. The Spl. Land Acquisition Officer**, reported in **2013 AIR SCW 6510**, **Lingeswaran Etc. vs. Thirunagalinman**, passed in **Special Leave to Appeal (C) Nos. 2054-2055, decided on 25.02.022** and **Brijesh Kumar & others vs. State of Haryana & others** reported in **2014 (11) SCC 351** and came to the conclusion that no sufficient case has been given in the application for condonation of delay or has been argued by petitioner's counsel for the said delay.

11. In view of the foregoing discussion and on a careful analysis of finding so recorded by the learned National Commission that the petitioner was not able to show sufficient cause for the delay in filing the second appeal filed before National Commission, in the opinion of this Court, learned National Commission has passed the well reasoned order, which does not call for any interference by this court in the instant petitions filed under Article 227 of the Constitution of India.

12. Consequently, all the writ petition, being devoid of substance, are liable to be and are hereby dismissed. No cost (s).

Sd/-

(Sachin Singh Rajput)

JUDGE