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SLP(C)No. 17146 OF 2003  
ITEM No.33

Court No. 7

SECTION XVII  
A/N MATTER

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Civil) No.17146/2003  
(From the judgement and order dated 03/04/2003 in RP 2249/02  
of The NATIONAL CONSUMERS DISPUTES REDRESSAL COMMISSION, NEW DELHI)

PUNJAB URBAN PLANNING & DEV. AUTHORITY

Petitioner (s)

VERSUS

TAVINDER KUMAR AHLUWALIA  
(With prayer for interim relief)

Respondent (s)

Date : 06/01/2004 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.N. VARIAVA  
HON'BLE MR. JUSTICE H.K. SEMA

For Petitioner (s)Mr. Atul Nanda, Adv.  
Ms. Veena Nanda,Adv.

Mr. P.N. Puri,Adv.

For Respondent (s)Mr.R.K. Talwar, Adv.  
Mr.Amit Talwar, Adv.

Mr. Yash Pal Dhingra,Adv.

UPON hearing counsel the Court made the following  
O R D E R

Leave granted.

Heard parties.

The Civil Appeal stands disposed of in terms of the signed order. There will be no order as to costs.

(K.K. Chawla)  
Court Master

(Jasbir Singh)  
Court Master

[Signed order is placed on the file]

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.....OF 2004  
(ARISING OUT OF SLP (CIVIL) NO.17146 OF 2003)

PUNJAB URBAN PLANNING & DEV. AUTHORITY

Appellant (s)

VERSUS

TAVINDER KUMAR AHLUWALIA

Respondent (s)

O R D E R

Leave granted.

Heard parties.

In this matter, we find that the State Consumer Disputes Redressal Commission has refused to condone a delay of only 26 days in filing an Appeal. The National Consumer Disputes Redressal Commission has refused to interfere and dismissed the Revision in spite of the fact that an order of this Court dated 26th July, 1996 in Civil Appeal No.9764 of 1996 was shown to the National Commission. By this order a delay of 40 days had been condoned and it was held a delay of 40 days cannot be considered to be gross. Surprisingly it is held that that Judgment has no application whereas that Judgment clearly covers the point involved. The National Commission is bound by a Judgment of this Court. We, therefore, set aside the orders of the National Commission and the State Commission and restore the Appeal to the file of the State Commission who shall decide the matter on merits. The delay of 26 days stands condoned. The Civil Appeal stands disposed of accordingly. There will be no order as to costs.

.....J.

(S.N. Variava)

.....J.

(H.K. Sema)

New Delhi;

January 06, 2004.