

ITEM NO.16

COURT NO.11

SECTION XVII

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)...../2010
CC 9763/2010

(From the judgement and order dated 11/12/2009 in RP No. 4303/2009
of The NATIONAL CONSUMER DISPUTES REDRESSAL COMMISSION, NEW DELHI)

HARYANA URBAN DEV.AUTH.& ANR

Petitioner(s)

VERSUS

JOGINDER SINGH

Respondent(s)

With IA 1(c/delay in filing SLP)

Date: 12/07/2010 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI

HON'BLE MR. JUSTICE ASOK KUMAR GANGULY

For Petitioner(s)

Mr. Neeraj Kumar Jain, Sr. Adv.

Mr. U. Shankar, Adv.

Mr. Sushant Kumar, Adv.

Mr. Ugra Shankar Prasad, Adv.

For Respondent(s)

UPON hearing counsel the Court made the following

O R D E R

We have heard learned counsel for the
petitioner and perused the record.

60 days' delay in filing the special leave
petition is condoned.

The petitioners are aggrieved by the order of
the National Consumer Disputes Redressal Commission
(for short, 'the National Commission') which refused to
condone the 243 days' delay in filing of the revision
by the petitioners against the order passed by State
Consumer Disputes Redressal Commission, Haryana (for
short, 'the State Commission').

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District Forum Disputes Redressal, Panipat
allowed the complaint filed by the respondent in the
matter of cancellation of allotment of plot and issued
the following directions:-

"8. For the reasons recorded above, we
accept the present complaint and direct the
respondents to allot the plot no. 368-P,
Sector 18, Panipat on the original terms and
conditions, if not allotted to some other
person, if the said plot has been allotted to
some other person then the respondents shall
allot any other plot of the same size, on the
same terms and conditions to the petitioner,
on receipt of the interest on the remaining
90 per cent of the cost of the plot with
interest and penalty if any as per the rules
of the HUDA. The respondents shall make the

compliance of this order within a period of thirty days from the date of receipt of copy of this order. Parties concerned be communicated of the order accordingly and file be consigned to the records after due compliance."

The State Commission dismissed the appeal preferred by the petitioners. The revision filed by them was dismissed by the National Commission on the ground that the cause shown by them for 243 days' delay was not satisfactory.

In our view, the reasons assigned by the District Forum for restoration of allotment of plot in favour of the respondent do not suffer from any legal

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infirmity and the State Commission rightly refused to interfere with the order of the District Forum. The National Commission has assigned cogent reasons for not entertaining the prayer of the petitioners for condonation of 243 days' delay because the cause shown by them was not sufficient.

With the above observation, the special leave petition is dismissed.

(A.D. Sharma)
Court Master

(Phoolan Wati Arora)
Court Master