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IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. OF 2013
(D.No.5827/2013)

Delhi Development Authority ..Appellant

versus

Babita ..Respondent

O R D E R

This appeal is directed against order dated 5.8.2011 passed by the Competition Appellate Tribunal, New Delhi whereby it directed the appellant to return the withheld amount to the respondent within two months. The appellant has also filed an application for condonation of 485 days' delay.

We have heard Shri Vishnu B. Saharya, learned counsel for the appellant on merits and perused the record.

In our opinion, the cause shown by the appellant for delayed filing of the appeal is wholly unsatisfactory and there is no ground or justification for exercise of power by this Court under Section 5 of the Limitation Act, 1963.

We are also convinced that the impugned order does not suffer from any legal infirmity warranting interference by this Court under Section 53T of Competition Act, 2002.

The appeal is accordingly dismissed on the ground of delay and also on merits.

.....J.
[G.S. SINGHVI]

.....J.
[KURIAN JOSEPH]

NEW DELHI; .....J.
APRIL 15, 2013 [SHARAD ARVIND BOBDE]

ITEM NO.14 COURT NO.3 SECTION XVII

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

CIVIL APPEAL D.NO(s). 5827 OF 2013

DELHI DEVELOPMENT AUTHORITY Appellant (s)

VERSUS

SMT. BABITA Respondent(s)

(With appln(s) for condonation of delay in filing appeal. and office report)

Date: 15/04/2013 This Petition was called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE G.S. SINGHVI
HON'BLE MR JUSTICE KURIAN JOSEPH
HON'BLE MR. JUSTICE SHARAD ARVIND BOBDE

For Petitioner(s) Mr. Vishnu B. Saharya, Adv.

For Respondent(s)

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

The appeal is dismissed on the ground of delay and also on merits.

(Parveen Kr.Chawla)		(Phoolan Wati Arora)
Court Master		Court Master

[signed order is placed on the file]