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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

\+ **W.P.(C) 7059/2026 & CM APPL. 34593/2026**

Date of Decision**: 20.05.2026**

IN THE MATTER OF:

NEERJA .....Petitioner

Through: Mr. Mohit Chaudhary Ms. Kuna Sachdeva and Mr. Naveen Sharma, Advs.

versus

UNION OF INDIA & ANR. .....Respondents

Through: Ms. Gauri Goburdhun, Sr. Panel Counsel.

CORAM:
HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV

JUDGEMENT

PURUSHAINDRA KUMAR KAURAV, J. (ORAL)

1. The present petition concerns the alleged deletion/alteration of order dated 03.10.2024 purportedly passed by the National Consumer Disputes Redressal Commission [**NCDRC**] in execution proceedings.

2. It is the case of the petitioner that originally *Annexure P-1* order was passed on 03.10.2024 which, however, was surreptitiously deleted and instead *Annexure P*-2 order was uploaded.

3. When the petitioner approached the NCDRC by way of application *Annexure P-6*, the NCDRC passed an order on 25.03.2026 directing the Registry to ensure that the certified copy of the signed order is handed over

to the complainant/petitioner.

4. It is thereafter, *Annexure P-2* order was handed over to the petitioner which, according to the petitioner, is not the same, which was originally uploaded on 03.10.2024.

5. The petitioner has various evidences to substantiate his submissions that the order which was uploaded on 03.10.2024 was different from the one which was handed over to the petitioner pursuant to the NCDRC directions.

6. The Court thus finds that the nature of the grievance is required to be appropriately considered by the NCDRC itself.

7. If a party believes that the proceedings in Court have been incorrectly recorded or uploaded in the form of an order, the concerned Court has the authority to correct the same. The said position has been reiterated by the Supreme Court in various pronouncements. The reference can be made to the decision in the case of ***State of Maharashtra v. Ramdas Shrinivas Nayak***[1], relevant paragraphs thereof are extracted as under:

> **"4.** *When we drew the attention of the learned Attorney-General to the concession made before the High Court, Shri A.K. Sen, who appeared for the State of Maharashtra before the High Court and led the arguments for the respondents there and who appeared for Shri Antulay before us intervened and protested that he never made any such concession and invited us to peruse the written submissions made by him in the High Court. We are afraid that we cannot launch into an enquiry as to what transpired in the High Court. It is simply not done. Public policy bars us. Judicial decorum restrains us. Matters of judicial record are unquestionable. They are not open to doubt. Judges cannot be dragged into the arena. "Judgments cannot be treated as mere counters in the game of litigation." [Per Lord Atkinson in Somasundaram Chetty v. Subramanian Chetty, AIR 1926 PC 136 : 99 IC 742] We are bound to accept the statement of the Judges recorded in their judgment, as to what transpired in court. We cannot allow the statement of the Judges to be contradicted by statements at the Bar or by affidavit and other*

[1] (1982) 2 SCC 463

evidence. If the Judges say in their judgment that something was done, said or admitted before them, that has to be the last word on the subject. ***The principle is well-settled that statements of fact as to what transpired at the hearing, recorded in the judgment of the court, are conclusive of the facts so stated and no one can contradict such statements by affidavit or other evidence. If a party thinks that the happenings in court have been wrongly recorded in a judgment, it is incumbent upon the party, while the matter is still fresh in the minds of the Judges, to call the attention of the very Judges who have made the record to the fact that the statement made with regard to his conduct was a statement that had been made in error****. [Per Lord Buckmaster in Madhu Sudan Chowdhri v. Chandrabati Chowdhrain, AIR 1917 PC 30 : 42 IC 527]* ***That is the only way to have the record corrected. If no such step is taken, the matter must necessarily end there****. Of course a party may resile and an appellate court may permit him in rare and appropriate cases to resile from a concession on the ground that the concession was made on a wrong appreciation of the law and had led to gross injustice; but, he may not call in question the very fact of making the concession as recorded in the judgment.*

5. *In R v. Mellor [(1858) 7 Cox CC 454 : 6 WR 322 : 169 ER 1084] Martin, B. was reported to have said:*

"We must consider the statement of the learned Judge as absolute verity and we ought to take his statement precisely as a record and act on it in the same manner as on a record of Court which of itself implies an absolute verity."

6. *In King-Emperor v. Barendra Kumar Ghose [AIR 1924 Cal 257 : 28 Cal WN 170 : 38 Cal LJ 411 : 25 Cri LJ 817] Page, J. said:*

"... these proceedings emphasise the importance of rigidly maintaining the rule that a statement by a learned Judge "as to what took place during the course of a trial before him is final and decisive" : It is not to be criticized or circumvented; much less is it to be exposed to animadversion."

7. *In Sarat Chandra Maiti v. Bibhabati Debi [AIR 1921 Cal 584 : 34 Cal LJ 302 : 66 IC 433] Sir Asutosh Mookerjee explained what had to be done:*

"... ***It is plain that in cases of this character where a litigant feels aggrieved by the statement in a judgment that an admission has been made, the most convenient and satisfactory course to follow, wherever practicable, is to apply to the Judge without delay and ask for rectification or review of the judgment****..."*

8. So the Judges' record is conclusive. Neither lawyer nor litigant may claim to contradict it, except before the Judge himself, but nowhere else."

[emphasis supplied]

8. The Court thus finds that the application *Annexure P-6* has not been appropriately considered and no enquiry seems to have been conducted regarding the fact whether the order which the petitioner places reliance on was actually uploaded on 03.10.20204 or there was no such order on that date. Unless the finding is arrived at, the grievance of the petitioner would not be fully mitigated.

9. Let the application of the petitioner be reconsidered by the NCDRC and the specific findings be rendered regarding allegations made in the application.

10. With these observations, the petition stands disposed of.

11. The petitioner is granted liberty to produce additional documents before the NCDRC.

PURUSHAINDRA KUMAR KAURAV, J

MAY 20, 2026/P