

2022 LiveLaw (SC) 930

IN THE SUPREME COURT OF INDIA

M.R. SHAH; J., M.M. SUNDRESH; J.

SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 31629/2022; 04-11-2022

ANTRIKSH DEVELOPERS AND PROMOTERS PRIVATE LIMITED & ANR.

versus

KUTUMB WELFARE SOCIETY (REGD.) & ANR.

Consumer Protection Act, 2019; Section 38(2)(a), 59(1) - The period of limitation for opposite party to file written version is 30 days which can be condoned up to 15 days only - The Tribunal has no jurisdiction to condone the delay beyond the prescribed period mentioned in the Statute. Referred to [New India Assurance Co. Ltd. vs. Hilli Multipurpose Cold Storage \(P\) Ltd. \(2020\) 5 SCC 757.](#)

(Arising out of impugned final judgment and order dated 13-06-2022 in CC No. 28/2021 passed by the National Consumer Disputes Redressal Commission, New Delhi)

For Petitioner(s) Ms. Vanshaja Shukla, AOR Mr. Aakash Nandolia, Adv. Mr. Sajal Singhai, Adv.

ORDER

Delay condoned.

It is not in dispute that the written statement was filed beyond the period of 45 days. The period of limitation to file is 30 days which can be condoned up to 15 days only.

As observed and held by this Court in the case of **New India Assurance Co. Ltd. vs. Hilli Multipurpose Cold Storage (P) Ltd. (2020) 5 SCC 757**, the Tribunal has no jurisdiction to condone the delay beyond the prescribed period mentioned in the Statute.

In that view of the matter, it cannot be said that the National Consumer Disputes Redressal Commission has committed any error in refusing to condone the delay which was beyond 45 days.

The present Special Leave Petition stands dismissed.

Pending application stands disposed of.