IN THE DELHI STATE CONSUMER DISPUTES REDRESSAL COMMISSION

Date of Institution: 28.02.2025
Date of Hearing: 03.07.2026
Date of Decision: 03.09.2026

REVISION PETITION NO. – 03/2025

IN THE MATTER OF

INTERGLOBE AVIATION LTD.,
HAVING ITS REGISTERED OFFICE AT:
UPPER GROUND FLOOR, THAPAR HOUSE,
GATE NO. 2, WESTERN WING, 124 JANPATH,
NEW DELHI – 110001.

(Through: M/s Khaitan & Khaitan)

…Revisionist

VERSUS

1. **MS. MONIKA JAIN,**
   W/O MR. SACHIN JAIN,

2. **MR. SACHIN JAIN,**
   S/O LATE SH. RAVINDER KR. JAIN,

   BOTH RESIDENT AT:
   H. NO. A-15, 2ND FLOOR,
   GALI NO. 4, BIHARI COLONY,
   SHAHDRA, DELHI – 110032.

   (Through: Ms. Priya Chaudhary & Mr. Karan, Advocates)

3. **MAKEMYTRIP INDIA PVT. LTD.,**
   HAVING ITS OFFICE AT:
   F-26, FIRST FLOOR, CONNAUGHT PLACE INNER CIRCLE,
   OPPOSITE PALIKA BAZAAR, DELHI – 110001.

... Respondents

CORAM:
HON'BLE JUSTICE SANGITA DHINGRA SEHGAL (PRESIDENT)
HON'BLE MS. PINKI, MEMBER (JUDICIAL)

Present: Mr. Rahul Garg, counsel for the Revisionist appeared through VC.
Ms. Priya Chaudhary, counsel for the Respondent No. 1 & 2 appeared through VC.

JUDGMENT

1. The Revisionist/Opposite Party has preferred the present Revision Petition under Section 47(1)(b) of the Consumer Protection Act, 2019 seeking revision of the order dated 18.11.2024 passed by the District Consumer Disputes Redressal Commission (North East Delhi) in CC No. 146/2024, whereby the District Commission has dismissed the Application seeking condonation of delay, filed by the Revisionist/Opposite Party in the following terms:

> *"1. This order shall dispose off an application filed by Opposite Party for condonation of delay in filing written statement. The Complainants filed reply to the application of Opposite Party. We have heard the Ld. Counsels for the parties and have perused the file.*
>
> *2. The perusal of the file shows that copies were supplied to the Opposite Party on 29.05.24 and written statement was filed on 12.07.24 meaning thereby the written statement was filed on 44th day. The reason mentioned in the application is that information was sought by the applicant from various departments and organisations which took a sufficient time. It is also stated that due to summer vacations the written statement could not be prepared within time also. In order to seek-condonation of delay the applicant has to satisfactorily explain the delay of each and every*
>
> *In the present case, the applicant has failed to prove this delay as required by the law. Therefore, we do not see any merit in the application and the application is dismissed. The written statement cannot be taken on record.*

3. Matter be listed for filing of Complainant evidence 04.02.25."

2. Aggrieved by the aforesaid order dated 18.11.2024, the Revisionist has approached this Commission, contending that the delay in filing the Written Statement was neither deliberate nor intentional. It is submitted that the counsel for the Revisionist was served with a copy of the Complaint along with the accompanying documents on 29.05.2024, and the Written Statement was thereafter filed by the Revisionist on 12.07.2024, along with an application seeking condonation of delay of 14 days in filing the same. The Counsel for the Revisionist submitted that the delay occurred as the Revisionist was required to obtain and collate relevant information from various departments of the organisation, which process consumed considerable time. It was, therefore, submitted that the delay was occasioned due to bona fide and unavoidable circumstances and was not attributable to any deliberate or negligent conduct on the part of the Revisionist. Accordingly, the Revisionist has prayed for setting aside of the impugned order dated 18.11.2024 and for taking the Written Statement on record.
3. Reply to the present Revision Petition has been filed by the Respondent No. 1 and 2, denying all the contentions and submissions of the Revisionist and submitted that there is no error in the impugned order as the entire material available on record was properly scrutinized before passing the said impugned order.
4. We have perused the material available on record including the District Commission record available on record.
5. The ***main question*** for consideration before us is ***whether the District Commission was right in dismissing the application seeking condonation of delay in filing the written statement before it.***

6. To resolve the present issue, we deem it appropriate to refer to Section 38(2)(a) of the Consumer Protection Act, 2019 reads as under:

> ***"Section 38(2)(a)***
> ***refer a copy of such admitted complaint, within twenty-one days from the date of its admission to the opposite party directing him to give his version of the case within a period of thirty days or such extended period not exceeding fifteen days as may be granted by the District Commission."***

7. A bare perusal of the aforesaid provision makes it abundantly clear that the Opposite Party/Revisionist was required to file its Written Statement within the prescribed period of 30 days, extendable by a further period not exceeding 15 days.

8. In the present case, it is evident from the record that the Revisionist was duly served with a copy of the Complaint along with the accompanying documents on 29.05.2024. Consequently, the statutory period of 30 days for filing the Written Statement expired on 28.06.2024, while the extended period of 15 days expired on 13.07.2024. The record further reveals that the Revisionist filed its Written Statement before the District Commission on 12.07.2024, i.e. on the 44th day from the date of receipt of the notice of the Complaint. Thus, although the Written Statement was filed beyond the stipulated period of 30 days, the same was filed within the extended period of 15 days contemplated under the Consumer Protection Act, 2019.

9. However, the mere filing of the Written Statement within the extended period of 15 days does not confer an automatic right upon the Revisionist to have the same taken on record. As per the settled position of law, the extended period of 15 days is not available as a matter of right and can be availed only upon the Court/Commission being satisfied that the party was prevented by sufficient cause from filing the Written Statement within the initial statutory period of 30

days. Therefore, it was incumbent upon the Revisionist to place on record cogent and convincing reasons demonstrating that despite exercising due diligence, it was prevented from filing the Written Statement within the prescribed period of 30 days.

10. In the present case, the Revisionist, in its application seeking condonation of delay, has attributed the delay primarily to the time taken in obtaining and collating the relevant information from various departments of the organisation. However, no particulars have been furnished as to when such information was sought, from which departments it was sought, what specific information was awaited, or when the same was received. More importantly, no explanation has been furnished as to why the Written Statement could not have been prepared and filed within the initial period of 30 days, particularly when the Revisionist had admittedly received the Complaint and the accompanying documents on 29.05.2024.

11. It is also pertinent to note that the responsibility of complying with the statutory period for filing the Written Statement cannot be sought to be avoided merely by attributing the delay to internal or departmental processes of the Revisionist organisation. Such internal administrative arrangements are matters within the control of the Revisionist and cannot, in the absence of any exceptional circumstance or cogent explanation, constitute sufficient cause for extending the statutory period. The Revisionist has also failed to demonstrate that any circumstance beyond its control prevented it from instructing its counsel or finalising the Written Statement within the prescribed period.

12. Therefore, upon a cumulative consideration of the facts and circumstances of the present case, we find that the Revisionist has failed to disclose any cogent, bona fide or sufficient cause which prevented it from filing the Written Statement within the statutory period of 30 days. The explanation furnished by

the Revisionist is general in nature and does not satisfactorily account for the delay of 14 days. In the absence of any plausible explanation supported by material particulars, the discretion to permit filing of the Written Statement during the extended period of 15 days cannot be exercised in favour of the Revisionist.

13. ***In view of the foregoing discussion and the settled position of law, we find no reason to interfere with the order dated 18.11.2024 passed by the District Consumer Disputes Redressal Commission (North East District), GNCT of Delhi, D.C. Office Complex, Nand Nagri, Delhi -110093 in CC No. 146/2024.***
14. ***Consequently, the present Revision Petition stands dismissed with no order as to costs.***
15. Application(s) pending, if any, stand disposed of in terms of the aforesaid order.
16. A copy of this order be sent to the concerned District Commission for information and necessary action.
17. A copy of this judgment be provided to all the parties free of cost as mandated by the Consumer Protection Act, 2019. The judgment be uploaded forthwith on https://e-jagriti.gov. in for perusal of the parties.
18. File be consigned to record room along with a copy of this order.

(JUSTICE SANGITA DHINGRA SEHGAL)
PRESIDENT

(PINKI)
MEMBER (JUDICIAL)

Pronounced On:
03.09.2026

LR-AJ