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CONDONATION OF DELAY IN CONSUMER DISPUTES

DIVERGENCE BETWEEN NCDRC AND HIGH COURT APPROACHES

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Executive Summary

The law of condonation of delay in consumer disputes sits at the intersection of two powerful but competing principles: the special, consumer-protective character of the Consumer Protection Act, and the overriding constitutional imperative of substantial justice. The result has been a sustained and consequential divergence in approach between the National Consumer Disputes Redressal Commission (NCDRC) — which applies a strict, purposive reading of the special limitation framework — and the High Courts, which exercise supervisory jurisdiction under Article 227 and frequently adopt a more liberal, substantive-justice-oriented posture.

This research paper examines the statutory architecture governing limitation in consumer disputes under both the Consumer Protection Act, 1986 (CPA 1986) and the Consumer Protection Act, 2019 (CPA 2019); the Supreme Court jurisprudence that defines the parameters of 'sufficient cause'; the structural reasons for the NCDRC's strict approach; the High Courts' corrective jurisdiction and its contrasting philosophy; and the practical consequences of the divergence for litigants, institutions, and the consumer justice system.

Central Thesis

The NCDRC, guided primarily by the Supreme Court's Anshul Aggarwal (2011) line of authority, treats the special limitation period in the CPA as a structural safeguard against systemic delay — to be enforced with rigour. High Courts exercising Article 227 jurisdiction frequently override these refusals, anchoring their intervention in the welfare purpose of the Act, the doctrine of continuing cause of action, and the constitutional principle that limitation rules should not extinguish substantive rights. Neither approach is constitutionally incorrect; their coexistence creates genuine legal uncertainty.

1. Statutory Framework

1.1 Section 24A of the Consumer Protection Act, 1986

Section 24A of the Consumer Protection Act, 1986 is the foundational provision governing limitation for filing complaints before consumer fora. Its terms are deceptively simple but have generated an extensive body of jurisprudence. The provision reads, in material part:

Section 24A — Limitation Period (CPA 1986)

(1) The District Forum, the State Commission or the National Commission shall not admit a complaint unless it is filed within two years from the date on which the cause of action has arisen. (2)

Notwithstanding anything in sub-section (1), a complaint may be entertained after the period specified in sub-section (1), if the complainant satisfies the District Forum, the State Commission or the National Commission, as the case may be, that he had sufficient cause for not filing the complaint within such period; Provided that no such complaint shall be entertained unless the National Commission, the State Commission or the District Forum, as the case may be, records its reasons for condoning such delay.

Three structural features of this provision are critical. First, the command 'shall not admit' is peremptory — the Supreme Court has confirmed in State Bank of India v. B.S. Agricultural Industries (2009) that this is a legislative command to the forum to examine limitation on its own motion, not merely when raised by the opposing party. Second, the discretion to condone delay is expressly conditioned on the complainant showing 'sufficient cause' — this is not a routine procedural matter but a threshold requirement. Third, when delay is condoned, the forum must record reasons in writing — the absence of such recording is itself a ground for setting aside an order.

1.2 The Consumer Protection Act, 2019 — Continuity and Change

The Consumer Protection Act, 2019, which replaced the 1986 Act, did not substantively alter the limitation regime. The two-year limitation period for filing complaints and the 'sufficient cause' conditionality for condonation were carried forward without amendment — a significant legislative choice that reflects Parliament's deliberate retention of the existing framework even as it modernised other aspects of the statute, such as extending consumer protection to e-commerce and enhancing pecuniary jurisdictions.

The 2019 Act, however, altered limitation periods applicable to appeals and revisions. Under Section 51, a first appeal to the State Commission must be filed within 30 days (extendable on sufficient cause for a further 15 days). Under Section 58, an appeal to the NCDRC must be filed within 30 days. Under Section 67, appeals from NCDRC orders to the Supreme Court must be filed within 30 days. These shorter windows for appeals, combined with the unchanged 'sufficient cause' standard, create significant exposure for parties who delay in seeking appellate relief.

1.3 Appeals: Limitation Periods at the NCDRC

Stage	Limitation Period and Condonation
Complaint before District Commission / State Commission / NCDRC	2 years from cause of action. Delay beyond 2 years may be condoned on recording sufficient cause (S. 24A CPA 1986 / S. 69 CPA 2019).
First Appeal to State Commission	30 days (CPA 2019, S. 51). May be extended up to 15 further days on sufficient cause. No further extension — limit is 45 days total under strict reading.
Second Appeal / Revision to NCDRC	30 days from State Commission order (CPA 2019, S. 58). Delay may be condoned on sufficient cause; no statutory maximum.
Appeal to Supreme Court	30 days from NCDRC order (CPA 2019, S. 67). SC may condone delay on sufficient cause. 50% deposit condition

Stage	Limitation Period and Condonation
	applies to paying parties.
Article 227 Writ before High Court	No fixed statutory period; governed by constitutional principles of delay and laches. High Court has discretion based on facts.

2. The NCDRC's Strict Approach

2.1 The Anshul Aggarwal Doctrine

The seminal case shaping the NCDRC's approach to condonation of delay is Anshul Aggarwal v. New Okhla Industrial Development Authority (2011) 14 SCC 578, decided by a two-judge bench of the Supreme Court. Though technically a case in which the Court was refusing to condone a 233-day delay in filing a Special Leave Petition, the judgment's reasoning has been applied by the NCDRC and lower consumer fora as defining the approach to delay condonation in all consumer matters.

The Anshul Aggarwal Principle (Supreme Court, 2011)

"It is also apposite to observe that while deciding an application filed in such cases for condonation of delay, the Court has to keep in mind that the special period of limitation has been prescribed under the Consumer Protection Act, 1986 for filing appeals and revisions in consumer matters and the object of expeditious adjudication of the consumer disputes will get defeated if this Court was to entertain highly belated petitions filed against the orders of the Consumer Foras."

This passage, reaffirmed in Cicily Kallarackal v. Vehicle Factory (IV (2012) CPJ 1 (SC)), has become the governing mantra in the NCDRC's delay condonation jurisprudence. The NCDRC consistently cites Anshul Aggarwal as authority for the proposition that the special protective purpose of the CPA — to provide speedy justice to consumers — would be undermined if delay were condoned too readily. The logic is institutional: if fora condone long delays routinely, they convert themselves into ordinary civil courts with ordinary limitation periods, defeating the legislative design.

2.2 Special Limitation and Expeditious Adjudication

The NCDRC's strict approach is grounded in a particular reading of the relationship between the CPA's limitation period and its purpose. The Commission reasons that the short limitation periods prescribed under the CPA are not arbitrary: they reflect a legislative judgment that consumer disputes should be resolved quickly, that evidence is freshest soon after the cause of action arises, and that the consumer fora system would be overwhelmed if stale claims were admitted without stringent gatekeeping.

The Commission has consistently held that: (i) condonation of delay is not a matter of right; (ii) the applicant must affirmatively establish a 'bona fide and sufficient cause' — a standard higher than the 'sufficient cause' used in ordinary civil matters under Section 5 of the Limitation Act, 1963; (iii) a day-to-day explanation of delay must be provided for long delays; (iv) routine grounds such as legal consultation, collection of documents, financial hardship, or age of the litigant are insufficient without more; and (v) even where an explanation is furnished, the Commission must exercise its discretion judiciously — mere showing of sufficient cause does not entitle the applicant to condonation as a matter of right.

2.3 NCDRC's Application in Practice

A survey of recent NCDRC orders reveals a consistent pattern of strict application. In the

2024 case involving M/S Nirman Realtors (IA/15599/2024), the NCDRC refused to condone a 425-day delay, finding the grounds insufficient. In a 2025 case (IA/867/2025), a delay of 91 days was refused where the grounds were characterised as routine. In another 2025 matter involving HDFC Ergo General Insurance (IA/6320/2025), a 248-day delay was refused. In the recent case of Veeresh Berry v. M/s Citi Center Developers (2025), a 179-day delay was refused because age, financial hardship, legal consultations, and collection of documents were held to be 'routine' and insufficient.

Case / IA No.	Delay & Outcome
IA/15599/2024 (Nirman Realtors)	425 days — REFUSED. Grounds insufficient; Anshul Aggarwal applied.
IA/867/2025 (HDFC Ergo)	91 days — REFUSED. Routine grounds.
IA/6320/2025	248 days — REFUSED. No sufficient cause shown.
IA/14267/2024	100 days — REFUSED. Oral submissions inconsistent with written grounds.
Veeresh Berry v. Citi Center Developers (2025)	179 days — REFUSED. Age, financial hardship, legal consultation held insufficient.
Prof. Nelly Rodrigues (NCDRC Delhi)	125 days — REFUSED. Inconsistency between oral and written grounds.
HUDA (Revision Petition)	854 days — REFUSED. Decision not to file revision reversed only when execution proceedings commenced — delay held inexcusable.

What emerges is a pattern in which the NCDRC draws a sharp distinction between 'generic' grounds (which invariably fail) and specific, documented, extrinsic circumstances that genuinely prevented filing — such as verified hospitalisation, natural disaster, or jurisdictional confusion produced by conflicting precedent. The Commission expects day-to-day accounting and treats vague or unsubstantiated affidavits as inherently insufficient.

3. The High Courts' Corrective Jurisdiction

3.1 The Constitutional Basis: Articles 226 and 227

The jurisdictional architecture under which High Courts interact with NCDRC orders has evolved significantly through a line of Supreme Court decisions. The critical development was the Supreme Court's ruling in Ibrat Faizan v. Omaxe Buildhome Private Limited (2022 LiveLaw (SC) 481), in which a bench of Justices M.R. Shah and B.V. Nagarathna held that the NCDRC is a 'tribunal' within the meaning of Article 227 of the Constitution of India. This meant that a writ petition under Article 227 before the jurisdictional High Court was maintainable against an NCDRC order — not merely orders in the NCDRC's original jurisdiction but also in its appellate and revisional capacity.

Ibrat Faizan v. Omaxe Buildhome (SC, 2022)

A writ petition under Article 227 against an order passed by the NCDRC under Section 58(1)(a)(iii) or Section 58(1)(a)(iv) of the Consumer Protection Act, 2019 is maintainable before the concerned High Court. The NCDRC is a 'tribunal' within the meaning of Articles 227 and 136 of the Constitution of India.

Subsequent decisions — including Universal Sompo General Insurance Co. Ltd. v. Suresh Chand Jain (2023), Siddhartha S. Mookerjee v. Madhab Chand Mitter (2024), and Punjab National Bank v. Rohit Malhotra (Delhi HC, 2024) — refined the question of which High Court has jurisdiction, settling on the 'jurisdictional High Court' where the cause of action in the first instance arose, not necessarily the Delhi High Court by reason of NCDRC's location in Delhi.

3.2 The Ibrat Faizan Settlement and Jurisdictional Clarity

Article 227 confers a power of superintendence — both administrative and judicial — over all courts and tribunals within the High Court's territorial jurisdiction. As the Supreme Court summarised in Shalini Shyam Shetty v. Rajendra Shankar Patil (2010), this power is not limited to mere error of jurisdiction but extends to cases where the order is perverse, based on no evidence, or results in grave injustice. However, the High Court under Article 227 cannot act as an appellate court reappreciating evidence or substituting its own view for a reasoned view of the tribunal below.

For delay condonation cases, this jurisdiction is significant. A High Court exercising Article 227 jurisdiction can interfere where: (i) the NCDRC applied an incorrect legal standard; (ii) the refusal was mechanically based on Anshul Aggarwal without independent assessment of the facts; (iii) the delay was short and the grounds not patently insufficient; or (iv) the refusal caused grave injustice disproportionate to the delay.

3.3 High Courts' Substantive-Justice Approach

High Courts exercising supervisory jurisdiction over NCDRC delay condonation orders have, in a range of decisions, adopted a markedly more liberal orientation. Several distinct features of the High Court approach stand out:

- Welfare purpose of the CPA: High Courts emphasise that the Consumer Protection Act is a beneficial and remedial statute enacted to protect the weaker party. They apply the principle that a beneficial statute should be construed broadly and its procedural provisions should not be used to defeat substantive consumer rights.
- Proportionality: High Courts consider whether the hardship of refusing condonation is proportionate to the delay and the strength of the underlying claim. A short delay on a potentially meritorious case receives more sympathy than an inordinate delay on a weak claim.
- Nature of the party: High Courts have been more willing to condone delay by individual consumers, who may lack legal sophistication, than by institutional defendants such as insurance companies, developers, or public authorities.
- Continuing cause of action: When the underlying grievance involves a continuing state of affairs — such as failure to deliver possession, ongoing deficiency in service, or an unresolved dispute in correspondence — High Courts have held that each day of non-delivery may generate a fresh cause of action, making the complaint timely regardless of the original act complained of.
- Article 21 foundation: Some High Courts have anchored condonation of delay in the constitutional right of access to justice under Article 21, holding that a mechanical refusal without meaningful assessment of the facts may amount to denial of the right to be heard.

4. Key Dimensions of Divergence

4.1 'Sufficient Cause': Two Competing Interpretations

The expression 'sufficient cause' is common to both the CPA and Section 5 of the Limitation Act, 1963, but consumer fora and civil courts apply the standard differently. The NCDRC has evolved a consumer-specific reading that is distinctly more stringent than ordinary civil practice. High Courts have contested this evolution, arguing it introduces a sub-category of 'super-sufficient cause' not supported by the statutory text.

Parameter	NCDRC Approach	High Court Approach
Standard applied	Higher than ordinary Section 5 standard; must show 'bona fide and sufficient cause' with day-by-day explanation	Section 5 standard; liberally construed in light of CPA's beneficial purpose; proportionality considered
Illness / incapacity	Requires medical documentation; bare affidavit of illness insufficient	Affidavit of genuine ill-health, even without full documentation, may suffice if consistent with surrounding facts
Legal consultation delay	Not accepted as sufficient cause; legal consultation is applicant's responsibility	If delay in engaging counsel is attributable to poverty, illiteracy, or remoteness, may be accepted
Ignorance of order	Knowledge deemed from date of passing unless service demonstrably withheld	Limitation runs from actual knowledge where service is disputed or non-est
Corporate applicants	Stricter — institutions expected to have legal departments; organisational delay not a valid ground	Still strict; no sympathy for institutional inertia
Continuing cause of action	Reluctantly applied; prefers to fix cause of action at first breach	Applied more liberally; ongoing default treated as daily renewal of cause of action
Short delays (< 60 days)	Assessed on merits; short delay may still be refused if no cause shown	More likely to be condoned in the interest of justice; reluctant to shut out meritorious cases on short delays

4.2 The Continuing Cause of Action Doctrine

One of the most practically significant divergences between the NCDRC and High Court approaches concerns the doctrine of 'continuing cause of action.' Under ordinary limitation law, a cause of action accrues at a fixed point — typically the date of breach — and limitation runs from there. If a consumer complains two and a half years after the breach, the complaint is prima facie time-barred and must be supported by an application for condonation.

High Courts have, in a range of consumer matters particularly involving housing and construction, applied a more dynamic doctrine: where the service deficiency is ongoing — such as a builder's failure to deliver possession, a recurring billing dispute, or a continuing failure to rectify a defect — each day of continued non-performance generates a fresh accrual of cause of action, keeping the complaint alive without the need for condonation.

The Supreme Court addressed this in Pushpa Jagannath v. M/s Sahaj Ankur Realtors (2025 INSC 294), restoring a complaint that the NCDRC had dismissed as time-barred. The Court found that the parties had been engaged in continuous correspondence and an escrow arrangement, and that in these circumstances the complainant could not be said to have 'sat on their rights' — the complaint was held to be within limitation as a continuing cause of action.

Supreme Court in Pushpa Jagannath (2025 INSC 294)

"Limitation, while important as a feature of law, is not meant to defeat a substantive right. Efforts, in earnestness, to secure possession of the flats cannot be discounted in order to compute the applicable limitation. The NCDRC ought to have taken a holistic view of the situation... It was a continuing cause of action, and, only when escrow expressed helplessness that the complainant was forced to file the complaint."

4.3 Corporate vs. Consumer Applicants

A structural asymmetry in the condonation jurisprudence concerns the identity of the applicant. The NCDRC has in numerous decisions applied a stricter standard to institutional or corporate applicants — particularly service providers such as insurance companies, housing developers, and banks — who seek to condone delay in filing appeals against adverse orders. In the HUDA case, a delay of 854 days was refused because HUDA had taken a deliberate decision not to appeal and reversed course only when execution proceedings were initiated. The Commission found this conduct — strategic delay followed by tardy challenge — to be precisely the kind of behaviour the CPA's limitation framework was designed to prevent.

High Courts have largely agreed with this asymmetry in principle — but their applications have been less mechanical. Where an institutional delay is explained by internal administrative processes or genuine legal uncertainty, High Courts have been more willing to remit the matter for reconsideration than to affirm an outright refusal.

4.4 Day-to-Day Explanation Requirement

The NCDRC's insistence on a 'day-to-day explanation' of long delays is a significant procedural requirement that finds no express textual support in Section 24A of the CPA. The requirement appears to have migrated into consumer practice from ordinary civil jurisprudence under Section 5 of the Limitation Act. Its application in consumer matters — where parties may be laypersons without legal representation — has been criticized by several High Courts as impracticable and contrary to the spirit of the CPA.

Some NCDRC benches, recognising this tension, have adopted a more pragmatic approach: where the overall picture of delay is comprehensible even without a precise day-by-day account — for example, where illness, travel, or institutional disruption explains a block of time — the Commission has condoned delay without insisting on an exhaustive chronological account. This internal divergence within NCDRC benches itself reflects the unresolved nature of the standard.

5. Supreme Court Jurisprudence: Attempted Reconciliation

5.1 The Substantial Justice Line

While Anshul Aggarwal is the dominant authority in the NCDRC, the Supreme Court has itself issued decisions that pull in a different direction. The most significant counter-weight is the principle, affirmed in Manager, IndusInd Bank Ltd. v. Sanjay Ghosh, that 'the question of limitation is not to be examined with a view to decline the condonation, but to do substantial justice.'

IndusInd Bank v. Sanjay Ghosh (Supreme Court)

Setting aside an NCDRC order that refused to condone a 67-day delay in a revision petition, the Supreme Court observed that the delay 'was not huge and should not have been refused under the Consumer Protection Act.' The Court remitted the matter for decision on merits, making clear that the object of limitation law is to advance justice, not to create an additional barrier.

This 'substantial justice' principle creates a tension at the heart of the Supreme Court's own jurisprudence. Anshul Aggarwal cautions against entertaining 'highly belated petitions'; IndusInd Bank suggests that modest delays should be condoned rather than refused. The synthesis — that delay condonation must be calibrated to the length and circumstances of the delay, with greater rigour applied to longer delays and more sympathy for shorter ones — is sensible but has not been reduced to a bright-line rule, leaving lower fora to navigate the tension case by case.

5.2 The Pre-/Post-New India Assurance Divide

A separate dimension of judicial complexity concerns the written statement limitation in consumer proceedings. In New India Assurance Co. Ltd. v. Hilli Multipurpose Cold Storage (P) Ltd. (2020) 5 SCC 757, a Constitutional Bench held that the statutory period for filing a written statement before consumer fora cannot be extended beyond the prescribed 45 days — overruling an earlier two-judge bench in J.J. Merchant v. Shrinath Chaturvedi (2002) that had held otherwise.

The prospective effect of this ruling produced its own conundrum for applications that had been filed or condoned before the judgment date of 4 March 2020. The Supreme Court eventually resolved this in Diamond Exports v. United India Insurance Co. Ltd. (2022) 4 SCC 169, holding that applications filed or decided before 4 March 2020 would not be affected by the New India Assurance judgment and would be entitled to the benefit of the earlier, more liberal approach under Mampee Timbers. This was further confirmed in Dr. Vijay Dixit v. Pagadal Krishna Mohan (2024 INSC 627), where the Court directed the NCDRC to adjudicate a delay of 285 days in filing a written statement that had been summarily refused — because the NCDRC order predated 4 March 2020.

Dr. Vijay Dixit v. Pagadal Krishna Mohan (2024 INSC 627)

"The application(s) seeking condonation of delay preferred before the consumer fora prior to 04.03.2020 [i.e., the date of the New India Assurance judgment], must be decided on merits; and ought not to be summarily dismissed." — The Supreme Court, directing the NCDRC to adjudicate a 285-day delay application that had been summarily refused.

5.3 Pushpa Jagannath v. Sahaj Ankur Realtors (2025 INSC 294)

The Supreme Court's 2025 decision in Pushpa Jagannath v. M/s Sahaj Ankur Realtors & Ors. (2025 INSC 294) is the most recent significant pronouncement on the interplay of limitation, condonation, and the continuing cause of action doctrine in consumer matters. The Court reversed an NCDRC order dismissing a complaint as time-barred, holding that where parties have engaged in continuous good-faith efforts to implement the terms of an agreement

— through correspondence, escrow arrangements, and part performance — the cause of action remains alive.

The bench of Justices Sanjay Karol and Manmohan made clear that Section 24A of the CPA 1986 provides for the possibility of condoning delays 'by recording its reasons' — an obligation on the Commission to engage substantively, not merely to apply a formulaic standard. The decision reinforces the High Court approach in treating the CPA's limitation provisions as instruments of justice, not gatekeeping barriers.

6. Structural and Systemic Analysis

The divergence between NCDRC and High Court approaches is not merely a dispute about legal interpretation — it reflects deeper structural tensions in the Indian consumer justice system.

(i) Institutional Identity of the NCDRC

The NCDRC occupies an unusual position: it is a quasi-judicial body staffed partly by retired judges and partly by non-judicial technical members, operating under a statute that emphasises speed and informality. Its strict approach to delay condonation is in part an institutional self-defence mechanism against a crushing caseload — if the Commission condoned delay liberally, it would invite a flood of old, stale cases that would overwhelm its docket and defeat the CPA's objective of expeditious resolution. This systemic concern is real and legitimate, even if it sometimes leads to outcomes that appear unjust in individual cases.

(ii) The High Courts as Corrective Institutions

High Courts exercising Article 227 jurisdiction serve as a constitutional safety valve against arbitrary or disproportionate outcomes from quasi-judicial tribunals. The Supreme Court in Shalini Shyam Shetty (2010) outlined the limited but real scope of this power: correction of jurisdictional errors, perversity, and grave injustice. In practice, High Courts have been more willing to characterise a refusal to condone delay on demonstrable sufficient cause as 'jurisdictional error' than the NCDRC would itself acknowledge. This creates a structural tension: the NCDRC sets a high threshold; parties bypass it by seeking Article 227 intervention, often obtaining a more favourable outcome; the NCDRC's threshold is therefore not the practical last word.

(iii) Access to Justice for Individual Consumers

The most serious systemic concern raised by the NCDRC's strict approach is its impact on individual consumers. The CPA was enacted precisely to protect individuals against large institutional service providers. The irony is that the strict limitation regime — including the day-to-day explanation requirement — may operate more harshly against individual consumers, who lack dedicated legal departments and may be unfamiliar with procedural requirements, than against institutional respondents who file late appeals after calculating the risk of execution. High Courts have repeatedly flagged this irony; the NCDRC has been slower to adjust.

(iv) The Written Statement Paradox

The New India Assurance ruling created a paradox: respondents (typically service providers) cannot file written statements beyond 45 days under any circumstances, while complainants (typically consumers) can seek to condone delays in filing complaints beyond two years if they show sufficient cause. This asymmetry — stricter on respondents than on complainants — reflects the CPA's consumer-protective design, but has been criticised by service providers as procedurally unfair when combined with an ultra-strict interpretation of the limitation period.

(v) Non-Recording of Reasons: A Persistent Failure

Section 24A's mandatory requirement that consumer fora 'record its reasons' for condoning or refusing to condone delay has been flagged repeatedly as a source of uncertainty. The Supreme Court in Pushpa Jagannath (2025) and in the Citicorp case found that the NCDRC had proceeded without recording any reasons for condoning delay — effectively proceeding with a

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complaint that was facially time-barred without adjudicating the limitation question at all. The failure to record reasons means that parties cannot know on what basis a condonation decision was made, impedes meaningful appellate review, and contributes to the divergence in outcomes across benches.

7. Conclusion and Recommended Framework

The divergence between NCDRC and High Court approaches to delay condonation in consumer disputes is not a pathology to be eliminated but a structural feature of India's multi-tier consumer justice architecture. It exists because the two institutions serve different purposes, respond to different pressures, and apply the same statutory standard — 'sufficient cause' — from different institutional vantage points. What is needed is not homogeneity but a clearer framework of principles within which both institutions can exercise their respective roles.

The following conclusions and recommendations emerge from this analysis:

- The 'special limitation' principle from Anshul Aggarwal remains valid at the level of general policy — consumer fora should apply the limitation framework with an awareness of the CPA's objective of expeditious adjudication. However, it should not be applied mechanically or as a substitute for genuine factual inquiry into the applicant's circumstances.
- The 'substantial justice' principle from IndusInd Bank should be understood as a complementary, not contradictory, instruction: where the delay is modest and the grounds credible, the Commission should condone in the interests of justice rather than refuse in a spirit of procedural rigour.
- A two-tier proportionality framework should be adopted: short delays (up to 60 days) should be presumptively condonable on an affidavit disclosing credible grounds; longer delays should require more substantive explanation, with day-to-day accounting required only for inordinate delays exceeding one year.
- The continuing cause of action doctrine should be more clearly codified in the NCDRC's practice, drawing on the Supreme Court's 2025 Pushpa Jagannath ruling: where a complainant has been in active, documented negotiation or correspondence with the respondent, the cause of action does not crystallise at the date of the first breach.
- The mandatory reasons requirement in Section 24A must be enforced consistently. Every condonation or refusal decision — including at the admission stage — must be accompanied by written reasons, however brief, addressing the specific grounds raised by the applicant. Bare refusal by formula is insufficient and should constitute jurisdictional error.
- High Courts exercising Article 227 jurisdiction should be cautious about substituting their own assessment of 'sufficient cause' for a reasoned assessment by the NCDRC — but should intervene where the NCDRC has: (i) applied an incorrect legal standard; (ii) not recorded reasons; (iii) refused on grounds that are perverse or disproportionate; or (iv) failed to distinguish between corporate and individual litigants in circumstances where the distinction matters.
- Parliament and the Ministry of Consumer Affairs should consider issuing clarificatory guidelines or amending the CPA 2019 to prescribe a contextual, tiered limitation condonation standard that explicitly addresses the distinction between individual and institutional applicants, and between complaints and appeals.

Until a more coherent doctrinal settlement is reached, practitioners should be aware that the NCDRC and the supervising High Court may reach different conclusions on the same set of facts — and that in consumer limitation disputes, the final practical answer often depends on which forum has the last word.

Table of Key Cases Cited

Case	Key Principle
Anshul Aggarwal v. NOIDA (2011) 14 SCC 578	Special limitation in CPA; object of expeditious adjudication must not be defeated; higher standard for condonation in consumer matters.
Cicily Kallarackal v. Vehicle Factory, IV (2012) CPJ 1 (SC)	Reaffirmed Anshul Aggarwal; consistent Supreme Court position.
State Bank of India v. B.S. Agricultural Industries (2009)	S. 24A is a peremptory command; forum must examine limitation suo motu.
New India Assurance Co. v. Hilli Multipurpose Cold Storage (2020) 5 SCC 757	Constitution Bench: written statement cannot be accepted beyond 45 days; no jurisdiction to extend.
Diamond Exports v. United India Insurance (2022) 4 SCC 169	New India Assurance applies prospectively; applications before 04.03.2020 decided on merits.
Dr. Vijay Dixit v. Pagadal Krishna Mohan (2024 INSC 627)	Applications before 04.03.2020 must be decided on merits, not summarily dismissed.
Ibrat Faizan v. Omaxe Buildhome (2022 LiveLaw (SC) 481)	NCDRC is a tribunal; writ petition under Article 227 before jurisdictional High Court maintainable.
Universal Sompo v. Suresh Chand Jain (2023)	Jurisdictional High Court for Article 227 = where cause of action arose, not necessarily Delhi HC.
Siddhartha S. Mookerjee v. Madhab Chand Mitter (2024)	Confirmed territorial jurisdiction principle for Article 227 petitions against NCDRC.
Punjab National Bank v. Rohit Malhotra (Delhi HC, 2024)	Delhi HC cannot entertain Article 227 petitions where cause of action arose outside Delhi.
Manager, IndusInd Bank v. Sanjay Ghosh (SC)	Limitation must not be examined to decline condonation but to do substantial justice; 67-day delay remitted.
Pushpa Jagannath v. Sahaj Ankur Realtors (2025 INSC 294)	Continuing cause of action; NCDRC must take holistic view; limitation not to defeat substantive rights.
Ram Lal v. Rewa Coalfields Ltd. AIR 1962 SC 361	Foundational case: sufficient cause is condition precedent; condonation not a matter of right.

Case	Key Principle
Shalini Shyam Shetty v. Rajendra Shankar Patil (2010)	Scope of Article 227 superintendence: jurisdictional error, perversity, grave injustice.

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