

**IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION**

CIVIL APPEAL No.5097 of 2002

Krishna Kant Singh @ Baristar Singh

.....Appellant(s)

Versus

Sasaram Bhabhua Central Co-operative Bank Ltd. & Ors.Respondent(s)

ORDER

This appeal under Section 23 of the Consumer Protection Act, 1986 is directed against the final order dated 10th July, 2002 passed by the National Consumer Disputes Redressal Commission (hereinafter referred to as 'the Commission') in O.P. No.171 of 1996.

By the impugned order the complaint filed by the appellant has been dismissed by the Commission on the ground that it was barred by limitation. The Commission has noted that the claim made on the Bank was lastly on 16th May, 1994 and the complaint was filed on 26th August, 1996, which was obviously beyond the period of limitation.

We have heard learned counsel for the parties. Mr. Shiv Pujan Singh, learned counsel appearing on behalf of the appellant has strenuously urged that the Commission has erred in not condoning the delay in preferring the complaint because there was sufficient cause for the delay. It is pleaded that the appellant was arrested in some case on 5th June, 1994; he remained in custody for a

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period of about eight months and was released on bail only on 4th February, 1995

