



CNR: KAHC010454442026

NC: 2026:KHC:55211-DB
WP No. 20607 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 5TH DAY OF OCTOBER, 2026

PRESENT

THE HON'BLE MR. JUSTICE JAYANT BANERJI

AND

THE HON'BLE MRS. JUSTICE N.V.BHAVANI

WRIT PETITION NO. 20607 OF 2026 (GM-CON)

BETWEEN:

PREM PRASAD SHETTY (ADVOCATE)
S/O JAYARAM SHETTY,
AGED ABOUT 46 YEARS,
R/AT NO.69, EAST PARK ROAD,
14TH CROSS, MALLESHWARAM,
BENGALURU-560003

...PETITIONER

(BY SRI. PREM PRASAD SHETTY (ADVOCATE)(PARTY),
ADVOCATE)

AND:

1. UNION OF INDIA
REPT. BY ITS SECRETARY,
DEPT. OF CONSUMER AFFAIRS,
FOOD AND PUBLIC DISTRIBUTION,
ROOM NO. 546C, KRISHI BHAWAN,
NEW DELHI-110001
2. NATIONAL CONSUMER DISPUTES
REDRESSAL COMMISSION (NCDRC),
REPT BY REGISTRAR,
UPBHOKTA NYAY BHAWAN, F BLOCK,
GPO COMPLEX, INA,

Digitally
signed by
PAVITHRA B
Location:
HIGH COURT
OF
KARNATAKA



CNR: KAHC010454442026

NC: 2026:KHC:55211-DB
WP No. 20607 of 2026

NEW DELHI-110023

3. KARNATAKA STATE CONSUMER DISPUTES
REDRESSAL COMMISSION(KSCDRC),
REPT BY REGISTRAR,
'BASAVA BHAVAN',
HIGHGROUNDS,
BENGALURU - 560001
4. UDUPI DISTRICT CONSUMER DISPUTES
REDRESSAL COMMISSION(UDCDRC),
REPT BY ITS ADMINISTRATIVE OFFICER,
NO. 76, BADAGUBETTU, KUKKIKATTE
(NEAR DIANA TALKIES),
UDUPI - 576101
5. THE MANAGEMENT / AUTHORIZED OFFICER,
BHARAT CO-OPERATIVE BANK (MUMBAI) LTD.
A MULTI-STATE SCHEDULE BANK,
'VISHWAS TOWERS', GROUND FLOOR,
COURT BACK ROAD,
UDUPI - 576101

...RESPONDENTS

(BY SRI. BHEEMAIHAH.K.S., CGC FOR R1)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT OF CERTIORARI OR ANY OTHER APPROPRIATE WRIT, ORDER, OR DIRECTION QUASHING THE COMMUNICATION / LETTERS DATED 09/02/2024, 08/05/2024 AND 04/12/2024 ISSUED BY THE ASSISTANT REGISTRAR OF RESPONDENT NO.2 (NCDRC) PRODUCED AS ANNEXURES-A, C AND M RESPECTIVELY., AND ETC.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:



CORAM: HON'BLE MR. JUSTICE JAYANT BANERJI
and
HON'BLE MRS. JUSTICE N.V.BHAVANI

ORAL ORDER

(PER: HON'BLE MR. JUSTICE JAYANT BANERJI)

Heard the petitioner appearing in-person.

2. The petitioner is aggrieved by the so-called abdication of responsibility by the National Consumer Disputes Redressal Commission¹ in exercising administrative control over the State Commission under Section 70 of the Consumer Protection Act, 2019² (for short, "the Act"). The learned counsel has drawn attention of the Court to the letter dated 09.02.2024, 08.05.2024 and 04.12.2024, all issued by the Assistant Registrar of the NCDRC.

3. It appears that the petitioner had purchased a motor vehicle by availing bank loan. It is stated that the vehicle was illegally seized by persons acting under the authority of the bank, aggrieved by which the petitioner filed a complaint case before the District Commission. The District Commission by an

¹ NCDRC

² the Act



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WP No. 20607 of 2026

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interim order dated 06.11.2023 directed release of the motor vehicle. The petitioner sought to file a caveat application before the State Commission which was not registered by the registry of the State Commission citing glitch on the website. It is stated that thereafter the petitioner sought execution of the interim order passed by the District Commission. On the day that the District Commission was to pass an order on the execution petition, it came to the petitioner's knowledge that a final order had been passed by the State Commission setting aside the interim order passed by the District Commission without giving notice to the complainant/petitioner.

4. The submission is that aggrieved against this, the petitioner moved the NCDRC under Section 70 of the Act seeking an enquiry as to the refusal of the Registry of the State Commission to register the caveat as well as the ex-parte order being passed by the State Commission.

5. It is stated that apart from an advisory received (Annexure-A) from the Assistant Registrar of the NCDRC regarding filing of an appeal or revision petition, no further action was taken by them. Repeated letters sent later, yielded



the same result from the Assistant Registrar of the NCDRC, which are enclosed as Annexures-B and C to this petition.

6. However, it is admitted by the learned counsel for the petitioner that the District Commission had thereafter passed a final order which is subjected to challenge in an appeal filed before the State Commission in the month of December, 2024. It is submitted that two years have elapsed and the worth of his vehicle is being reduced to a junk which vehicle continues to be in the possession of the respondent-bank.

7. Having perused the petition and on hearing the submissions of learned counsel for the petitioner, we note that Section 70 of the Act vests the National Commission with the authority to lay down such adequate standards in consultation with the Central Government for better protection of the interests of consumers and for that purpose to have administrative control over all the State Commissions on certain matters which includes, overseeing the functioning of the State Commission or the District Commission as the case may be.



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8. In our considered opinion, interference in the exercise of administrative authority by the National Commission is not warranted by this Court in the facts and circumstances of the instant case. It is for the petitioner to press for an early hearing of the appeal filed by him before the State Commission.

9. For the reasons aforesaid, this writ petition is **dismissed** leaving it open to the petitioner to move the State Commission for an early hearing of his appeal. It shall be open for the petitioner to raise such lawful pleas before the State Commission as he may be advised.

10. This order has been passed in the presence of the learned counsel appearing for the Union of India.

**Sd/-
(JAYANT BANERJI)
JUDGE**

**Sd/-
(N.V.BHAVANI)
JUDGE**

GJM
List No.: 2 Sl No.: 4