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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

Date of decision: 5th March, 2021

+ **W.P.(C) 2163/2021**

MANISH GULATI

..... Petitioner

Through: Mr. Kavin Gulati, Sr. Advocate with
Mr. Avi Tandon, Advocate.

versus

STATE OF NCT OF DELHI, & ORS.

..... Respondents

Through: Mr. Abhinav Singh, Advocate.

CORAM:

JUSTICE PRATHIBA M. SINGH

Prathiba M. Singh (Oral)

1. This hearing has been done through hybrid mode (physical and virtual hearing).
2. The service of R-3 and R-4 is still awaited in this matter. Let fresh notice be issued.
3. The present petition has been filed by the Petitioner who had filed a complaint under Section 12 of the Consumer Protection Act, 1986 before the District Consumer Disputes Redressal Commission (*hereinafter referred to as 'DCDRC'*). The Petitioner's grievance is that his petition before the DCDRC was heard in July 2018 and orders were reserved, however the same were not pronounced. Thereafter, according to the Petitioner, the matter was again heard on 20th August 2019 and reserved, however no orders had been pronounced until the last date of hearing.
4. On the last date of hearing, i.e 25th February 2021, this court had noted the importance of delivering judgments within the timelines prescribed in the CPC. This court had also observed that DCDRC has not

pronounced orders and not abided by the required discipline as laid down by the Hon'ble Supreme Court in *Anil Rai v. State of Bihar (2001) 7 SCC 318*. Accordingly, this court had directed Registrar DCDRC to place a report as to the number of cases where orders have been reserved and judgments have not yet been pronounced.

5. Mr. Gulati, Id. Sr. counsel appearing for the Petitioner submits that since the last order dated 25th February 2021, his client has been served with an order purportedly dated 23rd February 2021 but bearing a seal of 2nd March, 2021.

6. Further to the last order dated 25th February, 2021, a status report has been placed on record by the President of the District Consumer Disputes Redressal Commission (*hereinafter referred to as 'DCDRC'*). As per the said report, as on the date of the report, there is no case pending in which the final orders are to be passed.

7. It is submitted that there are several vacancies for the post of members at the DCDRC, and in the case of one of the members, the tenure came to an end and though the final arguments were heard in certain matters, orders could not be passed. Thus, there was a need for re-hearing of the matters.

8. It is further submitted that out of 10 DCDRCs, there are no Presidents in 7 DCDRCs, and the remaining three Presidents have been given additional charge of the 7 DCDRCs, that do not have Presidents of their own. There is also a shortage of staff that is reported. Thus, they submit that the routine functioning of DCDRC is adversely being affected due to lack of staff and lack of timely appointments.

9. Considering the status report that has been filed, GNCTD shall ensure expeditious appointments of all the members and the Presidents of the

various DCDRCs. In any case, the appointments shall be finalised within a period of 4 months so that the functioning of the DCDRC is not affected.

10. Insofar as the present case is concerned, this Court has perused the record and observes that the final order is stated to have been pronounced on 23rd February, 2021. However, the seal on the order is of 2nd March, 2021.

11. Mr. Gulati Id. Sr. Counsel submits that the final order was only received on 3rd March 2021. Without going into the question as to when the actual order was pronounced by the DCDRC, it is directed that DCDRC ought to ensure that such delays in pronouncement of orders does not occur in the future.

12. With these observations, the present petition is disposed of. A copy of this order be communicated by Id. counsel for GNCTD to the Chief Secretary, GNCTD, for appropriate action in respect of appointment of members and Presidents of the various DCDRCs in Delhi.

PRATHIBA M. SINGH, J.

MARCH 5, 2021

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