



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

112

CWP-31019-2024 (O&M)

Date of decision: 26.11.2024

Harjit Singh Arora

...Petitioner

VERSUS

State Consumer Disputes Redressal Commission, UT Chandigarh and others

...Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. Vishal Gupta, Advocate for the petitioner.

VINOD S. BHARDWAJ, J. (Oral)

Challenge in the present petition is to the order dated 29.10.2024 passed by the State Consumer Disputes Redressal Commission, UT Chandigarh in appeal No.296 of 2024 titled as 'Harjit Construction Vs. Rakesh Gulati and another' wherein the application moved by the petitioner vide MA No.720 of 2024 for permission to adduce additional evidence at appellate stage has been dismissed.

Learned counsel for the petitioner has vehemently argued that the petitioner has wrongly been proceeded against *ex-parte* and that he moved an application for leading additional evidence before the First Appellate Court which was declined for the said reason. He contends that a fraud was being played in the Court in securing an order of proceeding *ex-parte* against the petitioner. On being confronted that in the event of the petitioner alleging a fraud, the provision of Section 40 of the Consumer



Protection Act, 2019 provides for a power of review, he seeks withdrawal of the present writ petition so as to take recourse to an appropriate alternative remedy in accordance with law. He further contends that as the above said appeal No.296 of 2024 is fixed before the State Consumer Disputes Redressal Commission, UT Chandigarh for final arguments, the Commission may be directed to adjourn the case for a period of 15 days so as to enable the petitioner to take recourse to an appropriate alternate remedy.

Disposed of as withdrawn with the liberty as aforesaid.

The State Consumer Disputes Redressal Commission, UT Chandigarh is directed to adjourn the hearing of appeal No.296 of 2024 by a fortnight so as to enable the appellant to take recourse to the alternate remedies as may be so advised.

(VINOD S. BHARDWAJ)
JUDGE

26.11.2024

Mangal Singh

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No