



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

133(104)

CWP-34650-2024

Date of decision: 19.12.2024

GULAB SINGH

...Petitioner

VERSUS

STATE OF HARYANA AND OTHERS

...Respondents

CORAM : HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL
HON'BLE MR. JUSTICE DEEPAK GUPTA

Present: Mr. I.P. Singh, Advocate for
Mr. A.S. Virk, Advocate
for the petitioners.

Mr. Anant Kataria, DAG, Haryana.

ANUPINDER SINGH GREWAL, J.(ORAL)

1. The present petition has been filed under Article 226/227 of Constitution of India for setting aside the order dated 13.12.2024 (Annexure P-5), whereby the petitioner - Gulab Singh has been transferred from District Consumer Disputes Redressal Commission, Yamunanagar to District Consumer Disputes Redressal Commission, Fatehabad (for short 'District Commission') .
2. Learned counsel for the petitioners submits that the transfer order has been passed by the President, State Consumer Disputes Redressal Commission, Haryana (for short 'State Commission'), who is not empowered to do so.
3. Learned State counsel submits that the administrative control of the District Commission lies with the Chairman of the State Commission and he has the power to transfer the President and members of the District Commission.
4. Heard.
5. The petitioner is stated to be working as a President of District Commission and vide impugned order, the Chairman of the State Commission has transferred him to Fatehabad. It is trite that the administrative control, which



includes power to transfer the members of the District Commission is vested with the President of the State Commission. Reference may be made to the judgment of the Supreme Court in Civil Appeal (C) No.2740 of 2007 titled as **State of UP and others Versus All UP Consumer Protection Bar Association** decided on 21.11.2016. The relevant extract of the judgment is reproduced hereunder:-

“12 In these circumstances, we hold that Section 24B vests administrative control over the State Commissions in the President of the National Commission and over the district fora in the Presidents of the State Commissions. The extent of the administrative control shall be in all matters relating to the administrative functioning of the forum concerned including but not limited to assignment of judicial and administrative work; posting, transfer and control over members; selection, appointment and disciplinary matters relating to the staff of the district fora and State Commissions and in relation provisioning and meeting the infrastructural requirements of those bodies. The requirements of infrastructure shall be met in coordination with the Departments of Consumer Affairs of the states concerned and, in relation to the National Commission in coordination with the Union Ministry of Consumer Affairs, Food and Public Distribution.”

6. Therefore, we do not find any illegality in the impugned order transferring the petitioner.
7. The petition being devoid of any merit stands dismissed.

(ANUPINDER SINGH GREWAL)
JUDGE

(DEEPAK GUPTA)
JUDGE

19.12.2024
Nisha Yadav

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No