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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 1818/2021, CM APPL. 71762/2024 (FOR RESTORATION)
& CM APPL. 71763/2024 (EXEMP.)

MR. RAKESHPetitioner
Through: Mr. Manoj Kumar Sharma, Advocate.
versus
GOVT. OF NCT OF DELHIRespondent
Through: Mr. Avishkar Singhvi, ASC for
GNCTD (through VC) alongwith Mr.
Naved Ahmed and Mr. Vivek Kumar,
Advocates.

CORAM:
HON'BLE THE ACTING CHIEF JUSTICE
HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

% **ORDER**
09.12.2024

CM APPL. 71762/2024

1. The petitioner has filed the present application seeking restoration of the above captioned petition, which was dismissed in default on 28.11.2024. This Court had noticed that none had appeared on behalf of the petitioner for the past seven hearings and accordingly, closed the petition.
2. The learned counsel appearing for the applicant/petitioner submits that the petitioner had engaged another lawyer who had failed to pursue the proceedings diligently.
3. In view of the aforesaid circumstances, the present application is allowed and the petition is restored to its original position as obtaining on 28.11.2024.



W.P.(C) 1818/2021

4. The petitioner has filed the present PIL praying that a direction be issued to the respondents to establish a District Consumer Disputes Redressal Commission (hereafter *District Forum*) in the District of Shahdara, NCT of Delhi, in the interest of justice.

5. The initial status report furnished by the respondents indicates that the respondents were taking steps for establishing a District Forum in the District of Shahdara and for the said purpose, were in search of premises to accommodate the said District Forum. It is stated that in order to establish a District Forum, a space of approximately 2000 sq. ft. is required and the respondents are making consistent efforts to arrange for the said space. It is stated that for the aforesaid purpose, the answering respondent had made a request to various land owning agencies including the Delhi Development Authority and the Public Works Department. The said status report was filed on 15.09.2021.

6. Thereafter, the respondents have successively filed various status reports during the course of the proceedings, indicating the steps being taken to establish a District Forum in the District of Shahdara. The last status report was filed on 18.09.2024. The said status report indicates that Delhi State Industrial and Infrastructure Development Corporation Ltd. (DSIIDC) has agreed to provide a piece of land measuring approximately 250 sq. meters out of a total plot size of approximately 7600 sq. meters for construction of a building at Patparganj Industrial Area, Shahdara. It is stated that apart from exploring the option of establishing a District Forum at the said location, the respondents are also considering the feasibility to establish a State Consumer Disputes Redressal Commission (State



Commission) at the said location. It is also pointed out that another Public Interest Litigation being W.P.(C) No.12490/2021 captioned ***Mohan Prasad (since Deceased) through his L.Rs Sh. Yogesh & Ors. vs. Employees State Insurance Corporation & Anr.,*** is pending before this Court where the issue of establishing the State Commission is being examined. It is also pointed out that this Court in the aforesaid writ petition had also issued the following directions *vide* order dated 05.07.2024:

- “1. In pursuance to the last order, Mr. Satyakam and Respondent No.7 have visited the New Delhi District Consumer Commission along with the officials of Food Supply and Consumer Affairs as well as the Public Works Department. They state that upon reaching the Delhi District Consumer Commission, New Delhi, it was found that there was drinking water as well as water in the toilets. However, upon enquiry they were informed by the learned Member of the Commission that water had come only thirty (30) minutes ago.*
- 2. During discussions with the PWD Officials, it transpired that Delhi Jal Board was not supplying water and, therefore, there was a water shortage.*
- 3. Respondent No. 7 has shown us the photographs of the infrastructure facilities at other District Commissions. They reflect a sorry state of affairs.*
- 4. Mr. Satyakam, on instructions, states that as a budget of Rs.4 crores has been placed at the disposal of the President of the State Consumer Dispute Redressal Commission. He states that the Chairperson is competent to hire private agencies and outsource work for cleaning and maintenance of toilets as well as the building. He further assures and undertakes to this Court that PWD shall carry out repairs, renovation and fresh construction of toilets as well as the infrastructure facilities and supply of water coolers (as directed by the Chairperson) within eight weeks.*
- 5. The PWD shall file a status report within four weeks indicating the progress of the work along with the photographs.*
- 6. The Chairperson as well as the members of the State Consumer Dispute Redressal Commission along with Deputy Commissioner, Food Supply and Consumer Affairs, GNCTD are directed to visit the premium office space at Institutional Area,*



Karkardooma as expeditiously as possible and take a decision as to whether the said building can be utilized for occupation of State Commission as well as Shahdra District Forum. The Commission is directed to file a fresh status report within four weeks.

7. To await the judgment of the Supreme Court, list on 07th August, 2024.”

7. Learned counsel for the respondents submits that the issue of establishing a District Forum at the District of Shahdara may also be considered as part of the said writ petition. The said course commends to us considering that the order issued on 05.07.2024 had also directed that a decision be taken whether the building in question can be utilised for occupation of the State Commission as well as for District Forum for the District of Shahdara.

8. In view of the above, we close the present petition. However, we clarify that the issue of establishing a District Forum for the Shahdara District would be considered in W.P.(C) No.12490/2021.

9. Registry is directed to file this order in the said petition as well.

10. Present petition is disposed of in the aforesaid terms.

ACTING CHIEF JUSTICE, J

TUSHAR RAO GEDELA, J

DECEMBER 09, 2024

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Click here to check corrigendum, if any