

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17666 of 2017

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M/s E L G I Equipments Ltd.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. Zulfekar Ali, Son of not known to the Petitioner, Proprietor of M/s Nobil Enterprises, Resident of Gawal Bigha, More, West Khailash Park, P.S.- Rampur, District- Gaya.
3. Sri Pradeep Kumar Dam, Son of Late Subodh Chadra Dam, Partner M/s P.S. Enterprised, P.O.- Nibra, N.H.- 6, Ankur Toli, Checkpost, P.S.- Damjur, District- Howrah West Bengal.
4. The Managing Director, Cummins India Ltd., White House, Second Floor, 388/A01/2240, Mumbai Pune Roa
5. The State Consumer Disputed Redressal Commissions, Bihar, Patna through its Registrar, Daroga Prasa

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Mrigank Mauli
For the Respondent/s : Mr.Arbind Ujjawal - Sc4

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CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY
ORAL JUDGMENT

Date : 23-06-2025

1. The writ petition is filed for the following reliefs:-

(i) To quash the complaint Case No. 25 of 2015 (Zulfekar Ali vs. Pradeep Kumar Damm and Ors.) pending before the State Consumer Disputes Redressal Commission, Bihar, Patna (hereinafter referred to as “State Commission”) and consequential notices issued by State Consumer



Disputes Redressal Commission, Commissioner Bihar, Patna against the petitioner's Company.

(ii) To issue the nature of Prohibition or any appropriate writ to the State Commission not to proceed further or adjudicate the Complaint Case No. 25 of 2015 (Zulfekar Ali vs. Pradeep Kumar Damm and Ors.) pending before it.

(iii) For holding that the proceedings initiated in Complaint Case No. 25 of 2015 before the State Commission is not maintainable in terms of Section 17 of the Consumer Protection Act, 1986.

2. On perusal of the writ petition, it is evident that the writ petition has been filed to quash the proceedings in Complaint Case No. 25 of 2015, pending before the State Commission (State Consumer Disputes Redressal Commission). If the petitioner had any grievances, he ought to have filed objections or a petition before the State Commission by raising a preliminary objection that the complaint case is not maintainable. In turn, the Commission ought to have passed an appropriate order.



3. Without raising any preliminary objection before the State Commission, the petitioner has filed this writ petition before this Court in the year 2017 seeking to quash the complaint case.

4. This Court is of the considered view that the writ petition is not maintainable. Therefore, the writ petition is dismissed as being devoid of merit.

(G. Anupama Chakravarthy, J)

vinita/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	23.06.2025
Transmission Date	

