

CWP-32748-2025 (O & M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CWP-32748-2025 (O & M)
Date of Decision:17.11.2025

TEJINDER PAL SETIA

...PETITIONER

VERSUS

STATE CONSUMER DISPUTES REDRESSAL COMMISSION AND
OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr. Sachin Mittal, Advocate,
Mr. Akshat Mittal, Advocate and
Mr. Arnav Mittal, Advocate
for the petitioner.

Mr. Jatin Bansal, Advocate
for respondents No.2 and 3.

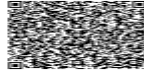
SUVIR SEHGAL, J.(ORAL)

CM-16669-CWP-2025

1. Application is allowed as prayed for.
2. Annexures P-12 to P-21 are taken on record.

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3. By way of instant petition, petitioner has approached this Court *inter alia* for issuance of a writ in the nature of certiorari for quashing orders dated 27.08.2025 and 09.10.2025, Annexures P-9 and P-11, respectively, whereby proceedings were initiated under Section 84, BNSS, and petitioner was declared as a Proclaimed Offender.



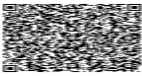
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4. Counsel for the petitioner submits that a consumer complaint was filed by respondents No.2 and 3, which was accepted and order dated 28.02.2022, Annexure P-5, was passed by State Consumer Disputes Redressal Commission (SCDRC). Counsel states that respondents initially filed an application, Annexure P-6, for execution under Section 71 of the Consumer Protection Act, 2019 (for short “2019 Act”), which was disposed of by order dated 05.04.2024. He submits that another application was filed under Section 72 of 2019 Act, wherein petitioner was impleaded as a respondent and upon service, petitioner appeared before SCDRC on different occasions as is evident from interim orders, Annexures P-12 to P-21. Counsel points out that petitioner was proceeded as *ex parte* and by virtue of impugned order, Annexure P-9, proclamation was issued and he was declared a Proclaimed Offender vide impugned order, Annexure P-11. It is his contention that SCDRC is forcing petitioner to appear in person, which cannot be done. He submits that petitioner is prepared to appear virtually and move an appropriate application for recall of the aforesaid orders.

5. Although, notice of motion has not been issued, but respondents No.2 and 3 are represented through Mr. Jatin Bansal, Advocate, who has opposed the petition. He states that appearance of petitioner in person is mandatory. An objection has also taken by him that instant writ petition is not maintainable as impugned orders are appealable under Section 73 of 2019 Act.

6. I have heard counsel for the parties and considered their respective submissions.



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7. The purpose for initiating proclamation proceedings is to ensure the presence of an accused. As petitioner is prepared to appear before SCDRC, he is granted liberty to do so virtually and move an appropriate application for recall of the aforesaid orders. Insofar as the objection raised by counsel for respondents No.2 and 3 regarding the maintainability of the writ petition is concerned, it may be observed that as the petition is not being decided on merits, objection cannot be sustained.

8. Writ petition is disposed of.

9. Let petitioner appear before the Commission virtually and join the proceedings within one month from today and move an appropriate application for recall of the aforesaid orders, which shall be decided by SCDRC in accordance with law.

17.11.2025
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(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No