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IN THE HIGH COURT OF BOMBAY AT GOA.
CRIMINAL WRIT PETITION NO. 32 of 2026

1. OLA ELECTRIC TECHNOLOGIES
PRIVATE LIMITED

A company incorporated under the provisions of the Companies Act, 1956 Having registered office at:Regent Insignia, #414, 3rd Floor, 4th Block 17th Authorised Main, 100 Feet Road, Koramangala Bangalore, Karnataka, 560034 Through Representative Mr. Ajaz Mubarak Khan, Son of Mubarak Ali Khan, Aged 38 years, Resident of House No. 712, Ward No.9, Maushi Road, Valpoi Sattari, Goa-403506

2. MR. AJAZ MUBARAK KHAN

Son of Mubarak Ali Khan, Aged 38 years, Resident of House No. 712, Ward No.9, Maushi Road, Valpoi Sattari, Goa-403506.

...PETITIONERS

~ VERSUS ~

1. DISTRICT CONSUMER DISPUTE
REDRESSAL COMMISSION (SOUTH
GOA) Through its Registrar, 1st Floor,
Blessings Pioneer Commercial Complex,
Opposite District Court, Old Market,
Margao, Goa-403 601.

2. PRITESH CHANDRAKANT GHADI

Son of Chandrakant Ghadi, Aged about 27 years, R/o H. No. 125, Near Mohidin Saw Mill, Chicalim, Mormugao, South Goa - 403 711.2. The Superintendent of police, North, Porvorim Goa.

...RESPONDENTS

APPEARANCES:

for the Petitioner.

*Mr Nitin Sardesai, Senior Advocate
with Mr Raunaq Rao, Mr Tarun
Rebello, Ms Tabitha Sauto and Mr
Dhiraj Nair, Advocates.*

CORAM : AMIT S. JAMSANDEKAR, J.

Dated : 9th April 2026.

ORDER

1. Registry to waive all office objections and register the Petition.
2. By the present petition, the Petitioner challenges the orders dated 20.01.2026 and 04.02.2026 passed by the District Consumer Disputes Redressal Commission, South Goa **(the Commission)**.
3. The brief facts as stated in the petition and as narrated during the hearing of the Petition are as follows:-

- I. The 2nd Respondent filed a complaint against the 1st Petitioner before the Commission on 26.03.2024. It is alleged in the complaint by the 2nd Respondent that the Petitioner is liable to pay a sum of Rs.1,47,499/- towards the refund along with Rs.50,000/- as compensation to the 2nd Respondent for

the deficiency of service concerning the vehicle purchased by the 2nd Respondent.

- II. The 1st Petitioner entered its appearance before the Commission on 13.12.2025. The Commission was pleased to list the matter for arguments on 20.01.2026. On 20.01.2026, when the matter was called out, the Learned Advocate of the 2nd Respondent as well as Advocate of the 1st Petitioner was present.
- III. The Learned Advocate appearing for the 2nd Respondent sought time for final arguments, which request was not opposed by the Learned Advocate appearing for the 1st Petitioner.
- IV. In view thereof, time was granted by the Commission. However, it appears that it was submitted by the 2nd Respondent's Advocate that the vehicle was given to the dealer of the first Respondent for servicing. It was alleged that the vehicle is not at the premises of the 1st Petitioner's dealer. On the basis of the submission made by the Advocate of the 2nd Respondent, the Commission sought clarification from the 1st Respondent's Advocate about the whereabouts of the vehicle. Learned Advocate appearing for the first

Petitioner expressed his inability to give clarification in respect of the whereabouts of the vehicle given by the 2nd Respondent for servicing.

4. In this background the Commission on 20.1.2026 passed the following order:-

“Called out Today. Before Mr Adv. Sanjay Chodankar- President, & Mr. Jayson Rodrigues- Member.

Called out twice,

Adv. L. Monteiro present for the Complainant, orally sought time for final arguments, since not objected by Adv. for OPs, time granted accordingly

Adv. Nikhil Duple present for OPs 1 & 2.

Adv for the Complainant submits that the bike was handed over to OP, the dealer of OLA Electric at Vasco, however at present the whereabouts of the said bike are not known. Therefore clarification was sought regarding the whereabouts of the bike which is the subject matter of the complaint from the Adv. Nikhil Duple for OPs 1 & 2.

Adv Nikhil Duple for OPs 1 & 2, showed his inability and submitted that he is not in a position to clarify the same. This Commission finds that since the bike was handed over to OPs, and whereabouts of the same are not known to the OPs It is necessary to call upon the CEO and Founder of OLA Electric Ltd, Mr. Bhavish Aggarwal, to remain present in person to clarify the whereabouts of the said bike and to explain why the same has not been reported and delivered after the necessary request made by the Complainant.

Issue notice to the CEO and Founder Mr. Bhavish Aggarwal, as address mentioned in paragraph 5 of the written submission filed by the OPs.

Adjourned for Appearance CEO and Founder Mr. Bhavish Aggarwal/ Clarification/ Oral Final Arguments on 04/02/2026 At 10:30 A.M.”

5. Thereafter, the matter was listed before the Commission on 04.02.2026. Where the Commission was pleased to pass the following order:-

“Called Out Today. Before Mr. Adv. Sanjay Chodankar- President, & Mr.

Jayson Rodrigues - Member

Called out twice,

Complainant as well as Advocate absent, opportunity given

Notice issued to the CEO and Founder of OLA Electric Ltd, Mr. Bhavish Aggarwal, service report awaited.

Exh 24(III) Office has verified the tracking report of OP No.2 where in it is seen that they are served on 31.01.2026, called out absent.

Adv Nikhil Dukele present for OPs 1 & 2, submits that he has no instructions from the OPs.

Issue Bailable Warrant against the CEO and Founder of OLA Electric Ltd, Mr. Bhavish Aggarwal, in the amount of Rs. 1,47,499/-with one surety in like amount, through the concerned Police Station at 20th Main Road Block-6, Koramangala Bangalore, Karnataka, 560095.

Adjourned for Appearance CEO and Founder Mr. Bhavish Aggarwal/ Clarification / Oral Final Arguments on 23/02/2026 At 10:30 A.M.”

6. Heard Mr N. Sardessai, the Learned Senior Counsel, for appearing for the Petitioners. The 2nd Respondent is absent, though served. The record indicates that the 2nd Respondent has received the papers and proceedings of the present petition on 05.03.2026.
7. Perused the record and the orders dated 20.01.2026 and 04.02.2026 passed by the Commission.

8. At the outset, it is clear that the 1st Petitioner was represented by a lawyer in the proceedings before the Commission. The 2nd Petitioner is not a party to the complaint made by the 2nd Respondent before the Commission. The matter was kept by the Commission for final hearing on 20.01.2026, when on a request made by the Learned Advocate for the 2nd Respondent, the matter was adjourned.
9. Therefore, when the matter was adjourned for final hearing, there was no need to pass an order calling upon the CEO and founder of the 1st Petitioner to personally remain present before the Commission to clarify the whereabouts of the vehicle. The Learned Advocate appearing for the 1st Petitioner could have clarified the factual aspect on the next date of hearing. In any case, the 2nd Respondent is not seeking possession of the vehicle by way of his complaint. The reliefs sought are refund and compensation.
10. Therefore, I agree with the submission made by Mr. Sardesai, the Learned Senior Counsel, that when the 1st Petitioner was represented by its Advocate, the Commission ought not to have directed the CEO and founder of the 1st Respondent to remain present before the Commission. I also agree with the submission made on behalf of the Petitioners that the 2nd Petitioner is not even

a party to the proceedings before the Commission and therefore the order passed by the Commission is in violation of the principles of natural justice.

11. Certainly, the Commission has overreached its jurisdiction by ordering the personal presence of the CEO and founder of the 1st Petitioner when there are no personal allegations made by the 2nd Respondent in the complaint against the 2nd Petitioner. There is no justification or reasons assigned by the Commission in the order dated 20.01.2026. Therefore, in my considered view, the impugned order dated 20.01.2026 passed by the Commission is arbitrary and perverse, and cannot be sustained on any legal ground. The said order warrants interference in the exercise of writ jurisdiction under Article 227 of the Constitution of India.
12. In view thereof, the order dated 20.01.2026 is liable to be quashed and set aside and is hereby quashed and set aside.
13. Consequently, the order dated 04.02.2026 cannot survive, and the same is also quashed and set aside.
14. The Petitioner is entitled for relief in terms of prayer clauses (a) and (b) of the petition, which read as follows: -

a) Issue a writ of certiorari or any other appropriate writ, order or directions under Articles 226 & 227 of the Constitution of India,

thereby quashing and setting aside the Impugned Order dated 20th January 2026 passed by the District Consumer Disputes Redressal Commission, South Goa, in Consumer Complaint No. DC/552/CC/37/2024, including directions seeking personal presence & summoning Mr. Bhavish Aggarwal, CEO & Founder of the Petitioner No.1 Company;

(b) Issue a writ of certiorari or any other appropriate writ, order or directions under Articles 226 & 227 of the Constitution of India, thereby quashing and setting aside the Impugned Order dated 4th February 2026 passed by the District Consumer Disputes Redressal Commission, South Goa, in Consumer Complaint No.DC/552/CC/37/2024, including issuance a bailable warrant in the sum of Rs,1,47,499/- (Rupees One Lakh Forty Seven Thousand Four Hundred Ninety Nine) against Mr. Bhavish Aggarwal, the CEO and Founder of the Petitioner No.1 Company;

15. **Writ Petition stands disposed of in the above terms.**
16. No order as to costs.
17. This order will be digitally signed by the Private Secretary/Personal Assistant of this Court. All concerned will act on the production by fax or email of a digitally signed copy of this order.

[AMIT S. JAMSANDEKAR, J.]