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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

\# **CNR No. DLHC010526512026**

\+ CM(M) 2384/2026, CM APPL. 75676/2026 & CM APPL. 75677/2026

M/S UNIQUE DEVELOPERS PVT LTD .....Petitioner

Through: Mr. Arpit Gupta, Mr. Divya Pratap Parmar and Ms. Akansha Agarwal, Advs.

versus

SHOBHNA GROVER & ANR. .....Respondents

Through:

CORAM:
HON'BLE MR. JUSTICE AJAY DIGPAUL

O R D E R

% 02.11.2026

1. Through the present petition, the petitioner impugns the order dated 10.09.2026 passed by the learned National Consumer Disputes Redressal Commission, New Delhi ("NCDRC"), in Revision Petition No. 1139/2025, titled "*M/s Unique Developers Pvt. Ltd. v. Shobhna Grover & Anr.*".

2. Succinctly put, respondent no. 1 filed a consumer complaint bearing Complaint Case No. 253 of 2018 dated 10.04.2018 before the learned District Consumer Disputes Redressal Commission ("DCDRC"), seeking *inter alia* compensation of Rs. 9,50,000/- in respect of a buyer's agreement between the parties. The complaint was allowed by the learned DCDRC *vide* judgment dated 08.08.2019.

3. Assailing the order dated 08.08.2019, on the basis of bias and conflict of interest, the petitioner moved the learned Delhi State Consumer Disputes

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Redressal Commission ("DSDRC") in First Appeal No. 38/2020. The learned DSDRC *vide* the judgment dated 05.08.2025 dismissed the appeal. The operative portion of the aforesaid judgment reads thus:

> "15. It is well settled law that no man can be a judge in his own case. But, in the present case the mother of the Respondent was not part of the quoram which announced the impugned order as she has already recused herself from the quoram on the day of passing the impugned order by the District Forum. It is worth noting that that District Forum has considered the case of Complainant as well as Opposite Party merits and passed the impugned order on merits. Since, the mother of Respondent was not part of the quoram which announced the impugned order as the impugned order has been passed by Sh. M.K. Gupta, the then President & Sh. Bariq Ahmed, the then Member. In these circumstances, we are of the considered view that the impugned order does not suffer from any irregularity or perversity.
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> XXXXX
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> 21. Thus, after going though the material on record, we are of the considered view that the Ld District Forum has passed the well-reasoned order which requires no interference by this Commission.
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> 22. Accordingly, we find no merits in the appeal.
>
> 23. Consequently, the appeal filed by the Appellant is dismissed."

4. Further aggrieved by the judgment of the learned DSDRC dated 05.08.2025, the petitioner approached the learned NCDRC by way of Revision Petition No. 1139 of 2025, *inter alia* reiterating the ground that the proceedings before the learned DCDRC were vitiated by bias.

5. Thereafter, the learned NCDRC *vide* the impugned order dated 10.09.2026 observed that it would proceed to decided the Revision Petition on its own merits and listed the matter for final hearing on 16.11.2026. The relevant portion of the impugned order is reproduced hereunder for ready reference:

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> "4. In this view of the matter, we are of the opinion that the Ends of Justice would be sub-served if we decide the matter on its own merits rather than solely factoring the allegation that one of the Members Constituting the District Commission's Forum was closely related to the Complainant side."

6. Aggrieved by the impugned order, the petitioner has preferred the present petition.

7. The learned counsel for the petitioner submits that an objection of bias goes to the root of the proceedings and must be decided before the merits, as a judgment which is riddled with bias or want of impartiality is a nullity and the trial therein is *coram non judice.*

8. Heard. Perused the record.

9. A bare perusal of the impugned order makes it evident that the learned NCDRC has not foreclosed or declined to adjudicate the allegation of bias/conflict of interest instead, it has been merely observed that the revision petition would be decided on its own merits as well as on the allegation of bias/conflict of interest. The matter now stands listed for final arguments, and it is still open for the petitioner to canvass all grounds including the allegation of bias/conflict of interest before the learned NCDRC. Thus, the present petition is premature at this juncture and does not warrant the interference of this Court under Article 227 of the Constitution of India.

10. Needless to clarify, this Court has not expressed any opinion on the merits of the rival contentions.

11. In view of the above, nothing survives for further adjudication in the present matter.

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12. The petition, along with pending applications, stands dismissed.

AJAY DIGPAUL, J

NOVEMBER 2, 2026/*AS/as*

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