

\$~1 (Special Bench)

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 12490/2021**

MOHAN PRASAD (SINCE DECEASED) THROUGH HIS LRS SH.
YOGESH & ORS. Petitioners

Through: Mr. Gaurav Jha, Advocate.
(M:9810055432)

versus

EMPLOYEES STATE INSURANCE
CORPORATION & ANR. Respondents

Through: Mr. Sameer Vashisht, ASC, Civil,
GNCTD with Ms. Sanjana Nangia,
Advocate. (M:8287936603)
Mr. Satyakam, ASC, GNCTD for R-
3. (M:9868219633)

CORAM:
JUSTICE PRATHIBA M. SINGH

ORDER
% **04.03.2022**

1. This hearing has been done through hybrid mode.
2. Vide previous order of this Court dated 6th January, 2022, the Court had called for a report from the Registrar/ President State Consumer Disputes Redressal Forum, GNCTD (*hereinafter "State Forum"*) for placing the following information about the State Forum and all District Consumer Disputes Redressal Fora (*hereinafter "District Fora"*) in Delhi, i.e.,
 - a. List of cases/complaints pending for final hearing;
 - b. Date of institution of the said complaints;
 - c. Date when evidence was concluded in the said complaints;
 - d. Any infrastructural requirements in the said forum; and
 - e. Status of vacancies of presiding officers, including President and members and other staff members.

3. Another report was directed to be placed before this Court by the Principal Secretary-cum-Commissioner of the Department of Consumer Affairs, GNCTD, in respect of the filling up of vacancies and the provision of infrastructure requirements and further personnel as may be requested, across all District Fora in GNCTD and the State Forum.

4. Pursuant to the same, two reports have been received by this Court. The first one has been filed by the Registrar, Delhi State Consumer Disputes Redressal Commission, communicated to the Registrar General of this Court vide letter dated 21st February, 2022. The following is the status as per the said report on the various aspects, which concern the functioning of the State and District Consumer Forums.

List of cases/complaints pending for final hearing

a. State Commission (Bench-1)	- 194
b. State Commission (Bench-2)	- 328
c. State Commission (Bench-3)	- 203
Total	- 725

5. Insofar as the District Commissions are concerned, the total number of matters pending for final hearing in various District Fora are concerned, the total pendency of the complaints, in which the evidence is concluded, are –

a. District Forum (North)	- 343
b. District Forum (South-I)	- 656
c. District Forum (West)	- 1278
d. District Forum (North East)	- 258
e. District Forum (North West)	- 1441
f. District Forum (New Delhi)	- 458
g. District Forum (South West)	- 1427

- h. District Forum (Central) - 511
- i. District Forum (East) - 462
- Total pending cases/complaints - 6834**

6. Thus, there are a total **725** cases pending for final hearing before the State Commission and **6834** number of cases pending for final hearing before various District Fora. In all these cases, evidence is stated to have concluded.

7. Insofar as the infrastructural support is concerned, the report of the Registrar, State Forum, states that there is an acute shortage of space and support staff in the State and the District Fora. Proposals are stated to have been sent by the State Forum to GNCTD, for creation of 62 functional posts, as there are not sufficient junior assistants and multi-tasking staff. This status report has now been handed over to Mr. Vashisht, Id. ASC for GNCTD, who submits that the same would be looked into.

8. Mr. Vashisht, Id. ASC, has also submitted a report dated 26th February, 2022 on behalf of the Department of Consumer Affairs, GNCTD. He submits that insofar as the managerial staff is concerned, all the posts have been filled completely. In the State Forum, *qua* Presiding officers, out of total 5 sanctioned posts, there is only one vacancy and insofar as the District Fora is concerned, there are only three vacancies out of total 30 sanctioned posts. He assures the Court that within three months the vacancies of the remaining shall also be filled.

9. The chart giving the total sanctioned strength and filled vacancies has also been placed on record, which shows that insofar as the PS, stenographers grade II and grade III, ASO, junior assistants and senior assistants are concerned, most of the positions have been filled. However,

insofar as the sanction of further staff is concerned, he submits that he would seek instructions in the matter.

10. Additionally, Id. counsel for the Petitioners submits that even as on today *en-bloc* dates are being given in the consumer forums. Since the vacancies have been filled in the various consumer forums, it is expected that physical Courts ought to resume quickly. Some priority ought to also be given to the old matters where the evidence is concluded and the same are pending for final hearing.

11. Let a further status report be filed by Mr. Vashisht, Id. ASC by the next date of hearing in respect of the above assurances concerning vacancies and the proposal of the State Forum.

12. The concerned officials of the Department of Consumer Affairs, GNCTD, are also directed to hold meetings with the Registrar/ President, State Consumer Disputes Redressal Forum, GNCTD, in order to ascertain the requirements and if any further infrastructural support is to be provided, the same shall also be taken care of.

13. List on 6th May, 2022. Ld. Counsel for the Petitioner to place on record an affidavit regarding the resumption of hearings by the next date of hearing. The Ld. Registrar, State Forum, may also file a further status report, if deemed appropriate.

14. This shall be treated as a part heard matter.

PRATHIBA M. SINGH, J.

MARCH 4, 2022/dk/ms