

IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P.(S) No. 7373 of 2025

.....
Umesh Singh, aged about 65 years, son of Indramani Singh,
resident of Sewta, Behind Apurwa Hospital, P.O. Ramgarh,
P.S. Ramgarh Cantt., District Ramgarh, Jharkhand- 829117.

..... Petitioner (s)

Versus

1. Union of India through the Secretary, Ministry of Consumer Affairs, Food, Public Administration, Department of Consumer Affairs, having its office at Room no. 456C, Krishi Bhawan, Dr. Rajendra Prasad Road, Opp. Rail Bhawan, Rajpath Area, Central Secretariat, P.O. & P.S Central Secretariat, District New Delhi.

2. The State of Jharkhand through the Secretary, Department of Food, Public Distribution and Consumer Affairs, having its office at Project Bhawan, P.O. Dhurwa, P.S. Dhurwa, District- Ranchi, Jharkhand.

3. The Deputy Secretary, Department of Food, Public Distribution and Consumer Affairs, having its office at Project Bhawan, P.O. Dhurwa, P.S. Dhurwa, District-Ranchi, Jharkhand.

..... Respondent(s)

With

W.P.(S) No. 7374 of 2025

.....
Suresh Chandra Jaiswal, aged about 66 years, son of Sri Lalji Jaiswal, resident of Nauperwa, P.O. Nauperwa, P.S. Baxa, District Jaunpur, Uttar Pradesh- 222109.

..... Petitioner (s)

Versus

1. Union of India through the Secretary, Ministry of Consumer Affairs, Food, Public Administration, Department of Consumer Affairs, having its office at Room no. 456C, Krishi Bhawan, Dr. Rajendra Prasad Road, Opp. Rail Bhawan, Rajpath Area, Central Secretariat, P.O. & P.S Central Secretariat, District New Delhi.

2. The State of Jharkhand through the Secretary, Department of Food, Public Distribution and Consumer Affairs, having its office at Project Bhawan, P.O. Dhurwa, P.S. Dhurwa, District- Ranchi, Jharkhand.

3. The Deputy Secretary, Department of Food, Public Distribution and Consumer Affairs, having its office at Project Bhawan, P.O. Dhurwa, P.S. Dhurwa, District-Ranchi, Jharkhand.

..... Respondent(s)

With

W.P.(S) No. 7421 of 2025

.....
 Bimal Kumar Lakra, aged about 66 years, son of Late Sri Walter Lakra, resident of 2nd Street, Kanke Road, Shastri Nagar, P.O. Konge, P.S. Kanke, District Ranchi, Jharkhand-834008.

..... Petitioner (s)

Versus

1. Union of India through the Secretary, Ministry of Consumer Affairs, Food, Public Administration, Department of Consumer Affairs, having its office at Room no. 456C, Krishi Bhawan, Dr. Rajendra Prasad Road, Opp. Rail Bhawan, Rajpath Area, Central Secretariat, P.O. & P.S Central Secretariat, District New Delhi.

2. The State of Jharkhand through the Secretary, Department of Food, Public Distribution and Consumer Affairs, having its office at Project Bhawan, P.O. Dhurwa, P.S. Dhurwa, District-Ranchi, Jharkhand.

3. The Deputy Secretary, Department of Food, Public Distribution and Consumer Affairs, having its office at Project Bhawan, P.O. Dhurwa, P.S. Dhurwa, District-Ranchi, Jharkhand.

..... Respondent(s)

With

W.P.(S) No. 7439 of 2025

.....
 Chandan Banerjee, aged about 66 years, son of Late Durga Das Banerjee, resident of Paileena Kutir, Parmeshwar Dayal Road, Barmasia, P.O. B. Deoghar, P.S. Barmasia, District Deoghar, Jharkhand- 814112.

..... Petitioner (s)

Versus

1. Union of India through the Secretary, Ministry of Consumer Affairs, Food, Public Administration, Department of Consumer Affairs, having its office at Room no. 456C, Krishi Bhawan, Dr. Rajendra Prasad Road, Opp. Rail Bhawan, Rajpath Area, Central Secretariat, P.O. & P.S Central Secretariat, District New Delhi.

2. The State of Jharkhand through the Secretary, Department of Food, Public Distribution and Consumer Affairs, having its office at Project Bhawan, P.O. Dhurwa, P.S. Dhurwa, District-Ranchi, Jharkhand.

3. The Deputy Secretary, Department of Food, Public Distribution and Consumer Affairs, having its office at Project Bhawan, P.O. Dhurwa, P.S. Dhurwa, District-Ranchi, Jharkhand.

..... Respondent(s)

.....

For the Petitioner(s) : Mr. Indrajit Sinha, Advocate
Mr. Arpan Mishra, Advocate
Mr. Kaushik Sarkhel, Advocate
For the Respondents : Mr. M.K.Roy, G.A.-I
Mr. O.P. Tiwary, G.P.-III
Mr. Manish Kumar, G.P.-V
Ms. Bakshi Vibha, Advocate

PRONOUNCED ON:12/08/2026

- 1.** Heard learned counsel for the parties.
- 2.** Since, common issues are involved in the writ petitions, they were heard together and are being disposed of by a common order.
- 3.** In all the writ petitions, the petitioners have prayed for modification / alteration of the part of Notification No. 2689 dated 10.10.2025; whereby the term of Office of only those President and Members of the Consumer Disputes Redressal Forum, who have retired on or after 21.05.2025 has been directed to be extended till completion of the next appointment process
- 4.** A further direction has been sought for to reinstate the petitioners on the post of Member, District Consumer Disputes Redressal Commission, Latehar with effect from 08.02.2025 in *W.P.(S) No. 7373 of 2025*, President, District Consumer Disputes Redressal Commission, Jamtara with effect from 30.12.2024 in *W.P.(S) 7374 of 2025*, Member, District Consumer Disputes Redressal Commission, Simdega with effect from 21.09.2024 in *W.P(S) 7421 of 2025* and Member, District Consumer Disputes Redressal Commission, Dumka with effect from 02.11.2024 in *W.P.(S) No. 7439 of 2025*.
- 5.** The petitioner in writ petition being *W.P.(S) No. 7373 of 2025* was appointed on the post of Member, District Consumer Disputes Redressal Commission, Latehar vide Notification as

contained in Memo No. 2760 dated 28.10.2021. The petitioner in W.P.(S) No. 7374 of 2025 was appointed on the post of President, District Consumer Disputes Redressal Commission, Jamtara vide Notification as contained in Memo No. 2840 dated 03.11.2021. The petitioner in W.P.(S) No. 7421 of 2025 was appointed on the post of Member, District Consumer Disputes Redressal Commission, Simdega vide Notification as contained in Memo No. 2760 dated 28.10.2021. The petitioner in W.P.(S) No. 7439 of 2025 was appointed on the post of Member, District Consumer Disputes Redressal Commission, Dumka vide Notification as contained in Memo No. 2760 dated 28.10.2021.

6. The tenure of the respective petitioners was for four years or till attaining the age of 65 years whichever was earlier. All the petitioners have retired.

7. The petitioner in writ petition being W.P.(S) No. 7373 of 2025 has retired from the post of Member of the District Consumer Dispute Redressal Commission, Latehar on 08.02.2025. The petitioner in writ petition being W.P.(S) No. 7374 of 2025 has retired from the post of President of the District Consumer Dispute Redressal Commission, Jamtara on 30.12.2024. The petitioner in writ petition being W.P.(S) No. 7421 of 2025 has retired from the post of Member of the District Consumer Dispute Redressal Commission, Simdega on 21.09.2024. The petitioner in writ petition being W.P.(S) No. 7439 of 2025 has retired from the post of Member of the District Consumer Dispute Redressal Commission, Dumka on 02.11.2024.

8. The tenure of the Members of the State Commission as well as the President and Members of the District Commission was five years in terms of the *Consumer Protection (Appointment, Salary, Allowance and Condition of Service of*

President and Members of State Commission and District Forum) Rules, 2019 (herein after referred to as “the Rules of 2019”). However, the Rules of 2019 was amended in the year 2020 and the tenure was reduced to four years.

9. The Hon'ble Supreme Court of India vide its judgment dated 27.11.2020 passed in *Madras Bar Association versus Union of India & Another reported in (2021) 7 SCC 369* and judgment dated 14.07.2021 passed in *Madras Bar Association versus Union of India & Another reported in (2022) 12 SCC 455* reiterated its view expressed in *Roger Mathew versus South India Bank Limited reported in (2026) SCC 1* and held that the tenure of Office of the Members of State Commission as well as the President and Members of the District Commission must be minimum of five years.

10. Few provisions of the amendment made in the rules of 2020 regarding the appointment process and qualification of Members and President of the State and District Consumer Commission was challenged before the High Court of Bombay vide various writ petitions and the Hon'ble Supreme Court of India vide its judgment dated 03.03.2023 passed in the *Secretary, Ministry of Consumer Affairs versus Dr. Manendra Bhaskar Limaye and Others reported in 2023 SCC OnLine SC 231* (herein after referred to as “Limaye-I”) has set the entire matter at rest with respect to the appointments made under the amendment rules of 2020.

11. The Consumer Protection (Qualification for Appointment, Method of Recruitment, Procedure of Appointment, Terms of Office, Resignation and Removal of the President and Members of the State Commission and District Commission) Amendment Rules, 2023 was notified by the Central Government with effect from 21.09.2023 incorporating the directions issued in Limaye-I.

12. Many writ petitions were filed before the High Court of Bombay challenging the amendment made in the rules of 2020 wherein the tenure of the Members of the State Commission as well as the President and Members of the District Commission was reduced to four years. The High Court of Judicature at Bombay, Nagpur Bench in *W.P.(C) No. 3680 of 2023* and other analogous cases vide its order dated 20.10.2023 has been pleased to strike down Rule-10(2) of the amended rules of 2020; however, it was categorically held that the judgment shall operate only after a period of four weeks from the date of its pronouncement.

13. Being aggrieved of the order dated 20.10.2023 passed in *W.P.(C) No. 3680 of 2023 and other analogous cases* passed by the High Court of Judicature at Bombay, Nagpur Bench, a *Special Leave to Appeal (C) No. 25612 of 2023 (Limaye-II)* was preferred before the Hon'ble Supreme Court of India and the Hon'ble Apex Court of India vide its order dated 21.05.2024 was pleased to allow the applicants to continue in service till further order as an interim measure.

14. The *Special Leave to Appeal (C) No. 25612 of 2023* was finally disposed of vide order dated 21.05.2025. The Hon'ble Supreme Court has been pleased to hold at paragraph 102(4) the followings:-

“4. As regard the status of appointment to the posts of Presidents and Members of the State and District Communication, we are pleased to issue the following directions:

SUMMARY OF THE RELIEFS

	Category of Persons	Relief
1.	Persons appointed as Members of the State Commission and Presidents and Members of the District Commission in the State of Maharashtra, vide order dated 05.10.2023 pursuant to the written examination and viva voce.	They shall be allowed to complete their tenure in entirety. In the event of their tenure ending before the completion of the recruitment process under the new Rules to be notified, their appointment shall be allowed to continue until the completion of the said recruitment process.
2.	Persons seeking reappointment in the State of Maharashtra, after their services had	They can be considered for reappointment in the State and

	been terminated vide order dated 06.10.2023.	District Commissions, based on the new Rules to be notified, subject to the condition that persons seeking reappointment to the posts of President and Judicial Members of the State Commission and President of the District Commission, shall not be required to undergo a written examination followed by a viva voce, while Non- Judicial Members of the State and District Commissions, shall be required to undergo a written examination followed by a viva voce. The writ petitions pending before the High Court of Bombay challenging the said termination order of the State of Maharashtra dated 06.10.2023, will have to be decided in terms of this judgment and larger principles of law.
3.	Presidents and Members of the State and District Commissions who have been appointed and serving prior to Limaye - I (supra) .	They shall be allowed to complete their tenure in entirety. In the event of their tenure ending before the completion of the recruitment process under the new Rules to be notified, their appointment shall be allowed to continue until the completion of the said recruitment process.
4.	Presidents of the State and District Commissions, and the Judicial Members of the State Commission, in other States, with/without having given the written examination followed by a viva voce.	(a) Those who are appointed and serving shall be allowed to complete their tenure in entirety. In the event of their tenure ending before the completion of the recruitment process under the new Rules to be notified, their appointment shall be allowed to continue until the completion of the said recruitment process. (b) Those who have been selected, but not appointed, on account of the concerned States having stayed the appointment process during the pendency of these appeals, shall be appointed to the respective post, and shall be allowed to continue in office till the entirety of their tenure.
5.	Persons who are selected to the posts of Non-Judicial Members of the State Commission and Members of the District Commission, without having undergone a written examination followed by a viva voce.	(a) If already appointed and serving: (i) In case the selection process had been completed prior to the decision of this Court in Limaye- I (supra) , such persons shall be entitled to complete their tenure in entirety. In the event of their tenure ending before the completion of the recruitment process under the new Rules to be notified, their appointment shall be allowed

		to continue until the completion of the said recruitment process. (ii) In case the selection process has been completed post the decision of this Court in Limaye - I (supra), such persons shall be entitled to continue in their respective posts till the completion of the recruitment process under the new Rules to be notified. (b) If selected but not appointed, such persons shall not be entitled to be appointed.
6.	Non-Judicial Members of the State Commission and the Members of the District Commission, who have given the written examination and viva voce.	(a) If already appointed and serving, they shall be allowed to continue in service for the entirety of their tenure. In the event of their tenure ending before the completion of the recruitment process under the new rules to be notified, their appointment shall be allowed to continue until the completion of the said recruitment process. (b) If selected, but not appointed, on account of the State having stayed the appointment process during the pendency of these appeals, such persons shall be appointed to the respective posts, and shall be allowed to continue in office for the entirety of their tenure.
7.	Persons seeking reappointment in other States after termination of their services.	They can be considered for reappointment in the State and District Commissions, based on the new Rules to be notified, subject to the condition that persons seeking reappointment to the posts of President and Judicial Members of the State Commission and President of the District Commission, shall not be required to undergo a written examination followed by a viva voce, while Non- Judicial Members of the State and District Commissions, shall be required to undergo a written examination followed by a viva voce.

We make it clear that for all those appointments which have been allowed to continue vide this Judgment, the tenure shall be a period of 4 years. Such persons shall not be entitled to claim the benefit of this Judgment qua a five-year tenure, subject to the directions issued hereinabove. We also make it clear that this Judgment shall apply prospectively, except to the extent indicated in the directions herein above.”

15. Pursuant to the order dated 21.05.2025 passed by the Hon'ble Supreme Court of India in the case of *Limaye-II*, the State Government has issued a purported Notification as contained in Memo No. 2689 dated 10.10.2025 wherein in the light of paragraph 102(4), sub-para 3 and 4 of the judgment dated 21.05.2025, the term of Office of only those President and Members of the State and District Commission who have retired on or after 21.05.2025 have been directed to be extended till the completion of the next appointment process and further it was clarified that the notification shall be effective till new rules are enacted by the Union of India or till new appointments are made.

16. The State Government has filed their affidavit and has tried to justify the compliance of the order of the Hon'ble Supreme Court by stating in their affidavit that those Members and Presidents of the State and District Commissions of Jharkhand were allowed to continue on their post, who were serving on 21.05.2025, i.e. the date of passing of the order by the Hon'ble Supreme Court and all the petitioners have retired prior to 21.05.2025 and they cannot be allowed to continue on the post and therefore, the claim to reinstate on the posts is not in consonance with the order passed by the Hon'ble Supreme Court of India.

17. A Civil Writ Petition being *S.B Civil Writ Petition No. 17712 of 2025* was filed by one *Urmila Verma* before the High Court of Judicature for Rajasthan Bench at Jaipur for grant of relief to the Members of the Consumer Disputes Redressal Commission as the term of her was going to end on 30.11.2025 in pursuant to the appointment order dated 30.11.2021. By an order dated 28.11.2025 no interim order was granted by the High Court of Judicature for Rajasthan Bench at Jaipur.

18. On refusal of the interim protection by the High Court of Judicature for Rajasthan Bench at Jaipur, *Urmila Verma* preferred *Special Leave to Appeal (C) No. 36217 of 2025* before the Hon'ble Supreme Court of India. The Hon'ble Apex Court by an order dated 19.01.2026 has been pleased to direct that *Urmila Verma* being reemployed as a Member (Judicial) of the State Consumer Disputes Redressal Commission forthwith and further clarified that the reappointment with effect from 01.12.2025 shall be till the fresh recruitment is made and/ or the rules are suitably amended by the State Government in consultation with the High Court. *The Special Leave to Appeal (C) No. 36217 of 2025* was disposed of in the following terms:

2. *This appeal has been filed against an interim order dated 28.11.2025 passed by the High Court of Judicature for Rajasthan, declining interim protection to the appellant to continue as Member (Judicial) of the State Consumer Disputes Redressal Commission, notwithstanding the judgment of this Court in Ganeshkumar Rajeshwarrao Selukar vs. Mahendra Bhaskar Limaye, 2025 SCC OnLine SC 1193.*
3. *After hearing learned counsel for the parties, as an interim measure, we deem it appropriate to direct that the appellant be reemployed as a Member (Judicial) of the State Consumer Disputes Redressal Commission forthwith. Ordered accordingly.*
4. *It is further clarified that the appellant upon reappointment shall be deemed to be continued uninterruptedly with effect from 01.12.2025 till the fresh recruitment is made and/or the rules are suitably amended by the State Government in consultation with the High Court. The remaining issues will be examined by the High Court in the pending writ petition.*
5. *The civil appeal is, accordingly, disposed of."*

19. As a matter of fact, Paragraph 102(4) of *Limaye-II* nowhere confines the benefit of continuation to Office-holders who retired on or after the date of the judgment itself. Paragraph 102(3) of the directions which governs Presidents and Members appointed and serving prior to *Limaye-I* entitles such persons to complete their tenure in entirety and, where tenure ends before completion of new recruitment process, to continue in office until that process is completed. The date i.e. 21.05.2025, is merely the date of pronouncement of *Limaye-II*;

it does not appear anywhere in paragraph 102(4) as the qualifying date for entitlement.

20. Since all the four petitioners were appointed vide Notifications issued in between October to November 2021, i.e., well prior to *Limaye-I* (03.03.2023) and were serving in that capacity when their respective tenure came to an end between September 2024 and February 2025, before completion of the recruitment process under the new rules; they are accordingly persons “*appointed and serving prior to Limaye-I*”, and thus, squarely protected within paragraph 102(3) of *Limaye-II*, and are entitled to continue in office until completion of the fresh recruitment process, regardless of whether their retirement fell before or after 21.05.2025.

21. In view of the judgment passed by the Hon'ble Supreme Court of India in the case of *Limaye-II* and the order dated 19.01.2026 passed in *Special Leave to Appeal (C) No. 36217 of 2025 (Urmila Verma versus State of Rajasthan and Another)*, it is appropriate that the following directions are being passed: -

1. *The petitioner in W.P.(S) No. 7373 of 2025 be reemployed as a Member of the District Consumer Disputes Redressal Commission, Latehar forthwith and further it is clarified that the petitioner upon reappointment shall be deemed to be continued uninterruptedly with effect from 08.02.2025 till the fresh recruitment is made and/or the Rules are suitably amended.*
2. *The petitioner in W.P.(S) No. 7374 of 2025 be reemployed as a President of the District Consumer Dispute Redressal Commission, Jamtara forthwith and further it is clarified that the petitioner upon reappointment shall be deemed to be continued uninterruptedly with effect from 30.12.2024 till the fresh recruitment is made and/ or the Rules are suitably amended.*
3. *The petitioner in W.P.(S) No. 7421 of 2025 be reemployed as a Member of the District Consumer Disputes Redressal Commission, Simdega forthwith and further it is clarified that the petitioner upon reappointment shall be deemed to be continued uninterruptedly with effect from 21.09.2024 till the fresh recruitment is made and/ or the Rules are suitably amended.*
4. *The petitioner in W.P.(S) No. 7439 of 2025 be reemployed as a Member of the District Consumer Dispute Redressal Commission, Dumka forthwith and further it is clarified that the petitioner upon reappointment shall be deemed to be continued uninterruptedly with effect from 02.11.2024 till the fresh recruitment is made and/ or the Rules are suitably amended.*

22. The Notification No. 2689 dated 10.10.2025 which is common in all the writ petitions is contrary to the directions passed by the Hon'ble Supreme Court of India in the case of *Limaye-II* to the extent that “*the term of Office of only those President and Members of the State/ District Consumer Disputes Redressal Commission who have retired on or after 21.05.2025 has been directed to be extended till the completion of next appointment process*”; and thus, it is hereby modified/alterd.

23. It is hereby directed that “*Presidents and Members of the State and District Commissions who have been appointed and serving prior to Limaye-I, they shall be allowed to complete their tenure in entirety and in the event of their tenure ending before the completion of the recruitment process under the new rules to be notified, their appointment shall be allowed to continue until the completion of the said recruitment process*”.

24. Accordingly, all Writ Petitions stand allowed in the aforesaid terms. Pending I.As if any also stands disposed of.

(Deepak Roshan, J.)

Dated:12/08/2026
Amardeep/
A.F.R/

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14.08.2026