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

Date of Decision: 1st November, 2022

+ **W.P.(C) 12490/2021**

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

Through: Mr. F.K. Jha & Mr. Gharav Jha,
Advocates. (M:9810055432)

versus

EMPLOYEES STATE INSURANCE
CORPORATION & ANR. Respondents

Through: Mr. Sameer Vashisht and Mr.
Satyakam, ASCs (Civil GNCTD)
with Ms. Sanjana N, Advocate.
(M:8287936603)

**CORAM:
JUSTICE PRATHIBA M. SINGH**

Prathiba M. Singh, J. (Oral)

1. This hearing has been done through hybrid mode.
2. Vide the previous order dated 6th September, 2022, the worthy Registrar General of this Court had been directed to file a report setting out specific details as to the functioning of the various District Consumer Disputes Redressal Fora in Delhi.
3. Today, the report of the worthy Registrar General has been received along with various other documents, including inspection reports basis visits to the District Fora. The same is being considered by this Court. Some of the suggestions/steps given in the said Report are as under:

“11. It is humbly submitted that the directions of this Hon'ble Court on the following points would be an aid in the effective functioning of the District

Consumer Commissions:-

- (i) A separate District Consumer Disputes Redressal Commission for Shahdara District may be established and made operational as expeditiously as possible.*
- (ii) The nomenclature of DCDRC (South I) may be immediately changed to DCDRC (South) and that of DCDRC (South II) may be immediately changed to DCDRC (South East).*
- (iii) All existing vacancies of Presidents and Members in District Commissions may be immediately filled up and a mechanism may be devised so that the process of filling up of anticipated vacancies is commenced well in advance and gets concluded before the vacancies actually arise.*
- (iv) The District Commissions should strictly adhere to the timings/working hours specified under the Consumer Protection (Consumer Commission Procedure) Regulations, 2020.*
- (v) The District Commissions should strictly adhere to the calendar of the Government of NCT of Delhi and should conduct the proceedings on all working days i.e. 6 days a week (except Second Saturdays and other notified holidays of the GNCTD).*
- (vi) The advance intimation regarding leaves of the Presidents/Members and all other relevant information relating to the functioning of the District Commissions should be put on the website.*
- (vii) Disposal criteria should be formulated for being followed by the District Commissions and they should submit monthly disposal statements to the State Commission.*
- (viii) Advisories may be issued to the District Commissions to give preference to old cases, cases of women, senior citizens and persons*

with disability.

- (ix) *A separate Mediation Cell should be established in all the Districts Consumers Redressal Commissions.*
- (x) *Adequate and dedicated staff should be appointed for the District Commissions or otherwise there should be a sufficiently long fixed tenure for the transferable staff.*
- (xi) *Adequate infrastructure (including IT infrastructure) be provided to the District Commissions and wherever required infrastructure should be suitably augmented/modernized.”*

4. Let copies of this report along with all annexures be supplied to the Id. Counsel for the Petitioner and Id. Counsel for the Respondents.

5. It is also noted that the report states that there are a large number of matters pending for final arguments after conclusion of evidence. The details of the same are as under:

S. No.	Name of District	Pending Cases
1.	East	892
2.	South-I	468
3.	South-II	533
4.	North-East	272
5.	North-West	1210
6.	Central	459
7.	North District	502
8.	West	1500

9.	South-West	2827
10.	New Delhi	518

6. Besides this large pendency of matters even dating back to 2003 in some cases, submissions have been made by various counsels from time to time, regarding the irregularity in holding of hearings at the Consumer Fora, highlighting that the Consumer Fora adjourn matters in the cause list itself, give *en-bloc* dates, do not sit post 12/1 PM on most days, and do not hold physical hearings. These issues also seem to have been recorded in the inspection reports, placed by the worthy Registrar General. Considering the large pendency of hearing matters and lack of a uniform method of prioritization, to ensure expeditious disposal of such matters, especially where evidence has been concluded long ago, it is directed as under:

- (a) Registrars of the concerned District Fora shall start listing final matters for hearing at 2:30 pm on a daily basis, with effect from 14th November, 2022.
- (b) The said matters shall be listed in a chronological manner, starting from the oldest cases first.
- (d) Advance publication shall be made in the cause list so that the lawyers and litigants are duly informed.
- (e) Monthly reports shall be submitted by the concerned Registrars, District Fora to the worthy Registrar General of the status of disposal of the final matters.

7. In the meantime, in view of the findings in the report, let a meeting be held in the Chamber of the worthy Registrar General for consideration of the

following matters:

- (a) Creation of a District Consumer Forum in Shahdara, which is the only district lacking a District Forum;
 - (b) Feasibility of change of nomenclature of DCDRC (South I) and DCDRC (South II), as per clause (ii) of paragraph 11 of the report extracted above.
 - (c) Provision of requisite infrastructure in all the District Fora, wherever the same is currently lacking.
 - (d) Feasibility and Modalities for creation of mediation cells at the relevant District Consumer Fora or creating arrangements with existing mediation centres for deputation of mediators on fixed days and times, while creation of permanent centres is underway.
8. The said meeting shall be attended by:
- (a) President/member each of the District Consumer Disputes Redressal Fora in Delhi;
 - (b) Registrar, Delhi State Consumer Disputes Redressal Commission;
 - (c) Secretary, Ministry of Consumer Affairs, Food & Public Distribution, GNCTD;
 - (d) Mr. Satyakam and Mr. Sameer Vashisht, Id. ASCs, GNCTD;
 - (e) Counsel(s) for the Petitioner;
 - (f) Officials of the team of worthy Registrar General, who had conducted inspection of various District Fora.
9. The said meeting shall be held on **10th November, 2022 at 4:30 pm** at the chamber of the worthy Registrar General, Delhi High Court. Let the

conclusion/minutes of the meeting be placed before this Court on or before 22nd November, 2022.

10. List on 22nd November, 2022 at 2:30 pm.

11. It is also clarified that in the previous order dated 6th September, 2022 the appearance that was to be marked on behalf of GNCTD was of Mr. Sameer Vashisht and not Mr. Manish Vashisht. The same may be read as “*Mr. Sameer Vashisht, ASC (Civil), GNCTD*”.

12. Copy of this order be communicated to Ms. Sumanta Chakraborty, Registrar, Delhi State Consumer Disputes Redressal Commission, A-Block, Vikas Bhawan, I.P. Estate, New Delhi-110002 (T-011-23370799) who shall forward the same to all the District Fora. In addition, the said order shall also be communicated to the worthy Registrar General for further action.

13. This is a part-heard matter.

**PRATHIBA M. SINGH
JUDGE**

NOVEMBER 1, 2022/dk/ms

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