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

*Date of decision: 19<sup>th</sup> July, 2022*

+ **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. Satyakam, ASC, for R-3.  
(M:9868219633)

**CORAM:**  
**JUSTICE PRATHIBA M. SINGH**

**Prathiba M. Singh, J.(Oral)**

1. Mr. Satyakam, Id. ASC for the GNCTD submits that a Selection Committee has been constituted for the purpose of appointment of members in respect of the vacant positions in the District and State Consumer Disputes Redressal Fora. He submits that further infrastructure has also been sought and the same is being coordinated with the concerned officials. He seeks four weeks' time to place the further status report on record.
2. Insofar as the infrastructure is concerned, the concerned officials of the Department of Consumer Affairs, GNCTD shall continue their interactions with the President, State Consumer Disputes Redressal Forum, GNCTD, so as to ensure that the infrastructure is now put in place, before the next date of hearing.
3. Let the status report in this regard be now filed within four weeks. The same shall give details of the infrastructure provided and also inform

the Court as to the status of the vacancies in the District and State Consumer Disputes Redressal Fora, including the staff.

4. Mr. Gaurav Jha, Id. Counsel appearing for the Petitioner, submits that the District Consumer Fora only sit for a limited amount of time between 11:30 am to 12:20 pm and between 12:20 pm to 1:10 p.m, as is evident from the cause list which has been shown to the Court.

5. Reference is made to Section 5 of the Consumer Protection Regulations, 2005 which provides hearing hours of the Consumer Fora. The same is extracted hereinbelow:

*“5. **Hearing hours.**-Subject to the provisions of the rules, the normal working hours of the Consumer Forum for hearing matters shall be from 10.30 am to 1.00 p.m and 2.00 p.m to 4.00 p.m on all working days of the Central Government in the case of the National Commission and on all working days of the State Government in the case of the State Commission and the District Forum”*

6. The above regulation clearly shows that all Consumer Fora have to function between 10:30 am to 1:00 pm and 2:00 pm to 4:00 pm. Strict observance of the working hours, as prescribed under Regulation 5 extracted hereinabove is also envisaged in the Consumer Protection (Administrative Control Over the State Commission and the District Forum) Regulations, 2018, which has been extracted below:

*“3. **Observance of work.**-(1) The State Commission and the District Forum shall list sufficient matters on each working day, to ensure that the work does not finish before the close of the hearing hours as prescribed in Regulation 5 of the*

*Consumer Protection Regulations, 2005”*

7. Mr. Jha, Id. Counsel for the Petitioner submits that apart from the hours provided for the video conferencing, in the cause list shown to the Court, the Consumer Forum does not sit beyond the timing as specified therein. This would be a cause for concern inasmuch as the link as per the said cause list shows the functioning of the District Consumer Fora, only from 11:30 am to 1:10 pm.
8. Considering the large pendency in the District Fora and the State Forum, it is urged that the President, State Consumer Disputes Redressal Forum shall look into this matter. The Consumer Forum(s) ought to function for the full working hours for hearing matters between 10:30 a.m. and 1:00 p.m. and from 2:00 p.m. to 4:00 p.m., on a daily basis, as per the Regulations. A report be submitted by Ms. Sumanta Chakraborty, Registrar, Delhi State Consumer Disputes Redressal Commission, A-Block, Vikas Bhawan, I.P. Estate, New Delhi-110002 (T-011-23370799) before the next date of hearing, as to the status of the working hours, especially in the District Forum(s).
9. Copy of the present order be communicated to the Registrar, State Consumer Disputes Redressal Forum.
10. List on 6<sup>th</sup> September, 2022.
11. This is a part-heard matter.

**PRATHIBA M. SINGH**  
**JUDGE**

**JULY 19, 2022**  
*dj/ms/ad*