

ITEM NO.13 Court 4 (Video Conferencing) SECTION XVII-A

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s).19127/2021

(Arising out of impugned final judgment and order dated 25-08-2021 in IA No. 4765/2021 passed by the National Consumer Disputes Redressal Commission, New Delhi)

RAM PUKAR MAURYA

Petitioner(s)

VERSUS

JAIPRAKASH ASSOCIATES LTD. & ORS.

Respondent(s)

(WITH IA No.149699/2021-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Date : 26-11-2021 This petition was called on for hearing today.

CORAM : HON'BLE DR. JUSTICE D.Y. CHANDRACHUD
 HON'BLE MR. JUSTICE A.S. BOPANNA

For Petitioner(s) Mr. Abhishek Kumar Singh, AOR
 Ms. Pallavi Baghel, Adv.
 Mr. Prashant Mathur, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

- 1 In an earlier proceeding, SLP(C) No 13640 of 2020, the petitioner, along with other home buyers, had moved this Court with a grievance that though the consumer case has been instituted in February 2017, the National Consumer Disputes Redressal Commission¹ was not taking it up for final hearing and the proceedings were being simply adjourned over a long period of time.

- 2 By an order dated 15 December 2020, this Court permitted the petitioner to approach the President of the NCDRC to seek suitable orders on the administrative side. The petitioner moved a letter dated 15 January 2021 before the President of the NCDRC for early listing and the consumer case was listed on

1 "NCDRC"

18 February 2021. On 18 February 2021, the proceedings were directed to be listed on 19 August 2021. The petitioner, once again, moved a letter on 13 April 2021 before the President of the NCDRC. On 25 August 2021, the case was not heard and the NCDRC adjourned it to 21 July 2022.

3 Once an order was passed by this Court on 15 December 2020 that the proceedings had to be taken up for early hearing with all diligence and dispatch. Though the President of the NCDRC directed that the proceedings be listed before the Bench, they have not yet been disposed of and by the last adjournment, which was granted on 25 August 2021, the proceedings have been adjourned for a period of nearly eleven months to be listed on 21 July 2022. This defeats the object of the Consumer Protection Act 1986. What is of concern to this Court is equally the breach of the directions of this Court by the Judge, who is assigned to hear the proceedings before the NCDRC.

4 We express our disapproval of the manner in which the matter has been proceeded with before the NCDRC and now peremptorily direct that the President of the NCDRC shall, if the assigned Bench is unable to hear the matter, take up the matter before the Bench presided over by himself or by any other Bench which is available, so that the matter can be disposed of within a period of three months from the date of receipt of a certified copy of this order. A report of compliance shall be filed by the Registrar of the NCDRC before this Court.

5 The Special Leave Petition is accordingly disposed of.

6 Pending application, if any, stands disposed of.

(SANJAY KUMAR-I)
AR-CUM-PS

(SAROJ KUMARI GAUR)
COURT MASTER