



W.P.No.26656 of 2024

W.P.No.26656 of 2024
and W.M.P.No.29176 of 2024

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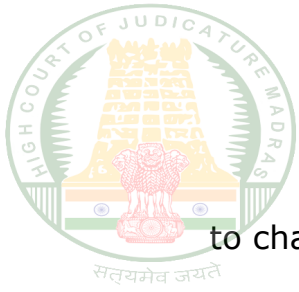
THE HON'BLE ACTING CHIEF JUSTICE

and

P.B.BALAJI, J.

(Order of the court was made by
the Hon'ble Acting Chief Justice)

Mr.V.B.R.Menon, learned counsel appearing for the petitioner submitted that the impugned order passed by the first respondent is vitiated as per Section 14(2) read with Section 18 of the Consumer Protection Act, which requires that the proceedings shall be conducted by the President of the District Forum/State Commission and at least one member thereof sitting together. Though the matter was argued before the two members and arguments concluded before the two member coram, the impugned order has been delivered by the President alone. The Consumer Protection Act does not contemplate an order signed only by the President or a single member in the case of District Forum and consequently of the State Commission or its Benches as well. Taking us through the order passed by the Delhi High Court in W.P.(C) No.7912 of 2023, dated 12.7.2023, learned counsel for the petitioner submitted that the petitioner has every right to invoke writ jurisdiction under Article 226 of the Constitution of India



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to challenge the order in question.

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2. The issue involved in the present writ petition needs adjudication. Therefore, we are inclined to entertain the writ petition.

3. Issue notice to the respondents, returnable in eight weeks. Private notice is also permitted.

List after eight weeks. Till then, there shall be an order of interim stay of the order passed by the first respondent in F.A.No.321 of 2019, dated 14.9.2023.

(D.K.K., ACJ.) (P.B.B., J.)
10.09.2024

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