



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.2557 of 2025

CNR- ODHCO10027182025

***M/s. Hi Tech Estates and Promoter Pvt. Ltd.,
Bhubaneswar*** ***Petitioner***

Represented by Adv.-
Mr. Amit Prasad Bose, Advocate
Mr. Afraaz Suhail, Advocate

-versus-

Maheswar Tripathy & others ***Opp. Parties***

Represented by Adv.-
Mr. Suman Tripathy, Advocate

CORAM:
HON'BLE MR. JUSTICE SIBO SANKAR MISHRA

ORDER
17.08.2026

(Hybrid mode)

Order No.

12.

- 1.** In the present petition, the petitioner is assailing the order dated 09.07.2024 passed by the learned National Consumer Disputes Redressal Commission, New Delhi in Consumer Complaint No.58 of 2018.
- 2.** The sole ground of challenge to the order is that the impugned order has been passed by the learned Single Member of the National Consumer Disputes Redressal Commission, who is a Technical Member. In support of his argument, learned counsel for the petitioner has relied upon various judgments of Hon'ble Supreme Court and different High Courts in



the cases of **NBCC India Limited vs. Randhir Singh Redhu and others in W.P.(C) No.7912 of 2023, HLV Limited vs. New India Assurance Company Limited in Civil Appeal No.6569 of 2023, State of Rajasthan and others vs. Kamal Travels Kokks International & others, SLP (C) No.4969 of 2020 and Ibrat Faizan vs. Omaxe Buildhome Pvt. Ltd.** reported in **(2023) 11 SCC 594**. Besides the judgments of the Hon'ble Supreme Court, the judgment in the case of **Divisional Manager N.I.C. Ltd. vs. Raj. State Consumer Disputes Redressal Commission and others** reported in **MANU/ RH/ 1133/2018**. Across all those matters, the Hon'ble Supreme Court as well as the other High Courts have authoritatively held that an order/judgment passed by a single technical member of the National Consumer Disputes Redressal Commission is without jurisdiction and therefore a nullity.

3. In view of the aforementioned, the only course left to this Court is to set aside the impugned order dated 09.07.2024 passed by the learned National Consumer Disputes Redressal Commission, New Delhi in Consumer Complaint No.58 of 2018 and remand the matter back to the learned National Consumer Disputes Redressal Commission for disposal of the complaint afresh.



4. Accordingly, the impugned order dated 09.07.2024 passed by the learned National Consumer Disputes Redressal Commission, New Delhi in Consumer Complaint No.58 of 2018 is set aside and the matter is remanded back to the learned National Consumer Disputes Redressal Commission with request to dispose of the Consumer Complaint No.58 of 2018 as expeditiously as possible.

5. It is made clear that this Court has not expressed any opinion on the merits of the case.

6. The writ petition stands disposed of.

(Sibo Sankar Mishra)
Judge

Subhasis