

  
**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT  
JODHPUR**

D.B. Civil Writ Petition No. 8878/2024

Kalyan Singh S/o Late Shri Padam Singh, Aged About 57 Years,  
R/o Plot No. 36-A, Mohan Nagar A, Bjs Colony, Jodhpur, (Raj.).

-----Petitioner

Versus

1. Jodhpur Vidyut Vitran Nigam Ltd., Through Its Manager,  
New Power House, Jodhpur (Raj.).
2. The Assistant Engineer, C-2, JdvvnI, Jodhpur, Present  
Address Behind Rto Office, Gjs Colony, Jodhpur (Raj.).
3. Smt. Prakash Kanwar W/o Sawai Singh, R/o Plot No 36-A,  
Mohan Nagar A, Bjs Colony, Jodhpur, Rajasthan.

-----Respondents

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For Petitioner(s) : Mr. Jog Singh Bhati  
For Respondent(s) :

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**HON'BLE DR. JUSTICE PUSHPENDRA SINGH BHATI  
HON'BLE MR. JUSTICE YOGENDRA KUMAR PUROHIT**

**Order**

**22/05/2024**

1. Heard.
2. Mr. Jog Singh Bhati, learned counsel for the petitioner has put forth two prone submissions to the effect that the National Consumer Disputes Redressal Commission, New Delhi order has been passed by a single Member, whereas Section 58 (2) of the Consumer Protection Act, 2019, according to Mr. Bhati, mandates a minimum of two Members in the Bench.
- 3 In order to bolster his submissions, learned counsel for the petitioner has cited a judgment delivered by a Single Bench of this Hon'ble Court in the case of ***Divisional Manager N.I.C. Ltd., Jodhpur Vs. Raj. State. Cons. Disp. Red. Commi., & Ors.***

**(S.B. Civil Writ Petition No.1972/2012)** and other connected writ petitions decided on 25.10.2018.

4. Mr. Bhati, further submits that such directions of taking the documents on record, as stated in Para 71 & 74, would seriously prejudice the case of the petitioner, as the same cannot be permitted.

5. For such submissions, learned counsel for the petitioner has also relied upon the precedent laws laid down by the Hon'ble Apex Court in **New India Assurance Co. Ltd. Vs. Hilli Multipurpose Cold Storage Pvt. Ltd.** : II (2020) CPJ 1 (SC); **M/s. Daddy's Builders Pvt. Ltd. and another Vs. Manish Bhargava and another** : AIR 2021 Supreme Court 946; and **Saurashtra Chemicals Ltd. Vs. National Insurance Co. Ltd.** : I (2020) CPJ 93 (SC).

6. The matter requires consideration.

7. Issue notice to the respondent, returnable on 01.07.2024.

8. In the meanwhile, effect and operation of the order dated 16.04.2024 (Annexure-10) shall remain stayed.

(YOGENDRA KUMAR PUROHIT),J (DR.PUSHPENDRA SINGH BHATI),J