

28-04-2025
Item no.115
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA

CO No.1114 of 2025
DLF Limited
-vs-
Nisit Bariar

Mr. Pinaki Misra
Mr. Shounak Mitra
Ms. Akshita Bohra
Mr. Aditya Singh ...for the petitioner

This application under Article 227 of the Constitution of India is directed against an order dated December 27, 2024 passed by the learned National Consumer Disputes Redressal Commission in First Appeal No.351 of 2019.

On a bare perusal of the said order, it appears that it was passed by a sole non-judicial member of the Commission.

Learned senior advocate representing the petitioner herein places reliance upon an order of the Hon'ble Supreme Court dated August 28, 2024 in Civil Appeal No.3953 in the case of Tiki Tar Industries v. National Insurance Company Ltd. in support of his contention that an order passed by sole non-judicial member of the learned National Consumer Disputes Redressal Commission is non est in the eye of law and that the same is not permissible as the Coram cannot be treated to be complete.

On a query of the court, learned senior advocate appearing for the petitioner submits that the hearing of the first appeal was adjourned till July 9, 2025.

There shall be an order of stay of all further proceedings in First Appeal No.351 of 2019 pending before the learned National Consumer Disputes Redressal Commission at New Delhi till the end of the month of June 2025 or until further order, whichever is earlier.

List the matter in the monthly list of June 2025.

The petitioner is directed to serve a copy of this application upon the opposite party by registered post with AD and file affidavit of service showing compliance on the next date of hearing.

All parties are to act on the server copy of this order duly downloaded from the official website of this court.

Certified copy of this order, if applied for, shall be made available to the parties.

[Hiranmay Bhattacharyya, J]