

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 (Civil) No.6928/1999

(From the judgement and order dated 08/10/1998 in CMWP 968/97
of The HIGH COURT OF JUDICATURE AT ALLAHABAD)

STATE OF U.P. & ORS

Petitioner (s)

VERSUS

JEET S. BISHT & ANR.

Respondent (s)

(With prayer for interim relief)

(With Appln(s). for exemption from filing O.T. and appln.
for taking affidavit on record and intervention/impleadment
as RR. and directions)

Date : 28/01/2002 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.C. LAHOTI
HON'BLE MR. JUSTICE BRIJESH KUMAR

For Petitioner (s) Mr. Anoop G. Choudhari, Sr.Adv.
Mr. Ashok K. Srivastava,Adv.

For Respondent (s) Mrs. Shobha Dikshit, Sr.Adv.
Ms. Sandhya Goswami,Adv.

Mr. M.N. Krishnamani, Sr.Adv.
Mr. S.K. Sharma,Adv.
Mr. Ranji Thomas,Adv.
Ms. C.K. Sucharita,Adv.

Mr. Altaf Ahmed,ASG
Mr. Sanjay Hegde,Adv.
Mr. Vipin Sanghi,Adv.
Mr. B.V. Balaram Das,Adv.

State of Assam Ms. Krishna Sarma,Adv.
Ms. Asha G. Nair,Adv.
Mr. V.K. Sidatharan,Adv.
for M/s. Corporate Law Group

State of Rajasthan Mr. Ranji Thomas,Adv.
Mr. Javed M. Rao,Adv.

State of Sikkim Mr. A. Mariarputham,Adv.
Ms. Aruna Mathur,Adv.

In I.A. No.6 Mr. S.K. Sharma,Adv.

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

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.SP2

As regards the grievances raised as to the functioning of the National Consumer Disputes Redressal Commission by the Bar Association thereof, the learned counsel assures to file a concised statement setting out specific grievances and suggestions for redeeming, within one week, under copy to the learned Additional Solicitor General so that on the next date of hearing, he can give response under instructions from the Union of India.

So far as State of U.P. is concerned, we find the High Court having offered to spare services of one of the judicial officers of the rank of Additional District Judge to be deputed as Registrar in the State Commission. However, the Chairperson, State Commission has expressed some reservation about the particular officer. We request the High Court of Uttar Pradesh to make available the services of some other suitable judicial officer to function as Registrar of the State Commission. Needless to emphasise that Registrar occupies a key post and appointment of a suitable officer would go a long way in sorting out working problems and making the Commission functional in the real sense.

The State of U.P. shall also place on record, by way of an affidavit of a responsible officer, the amount of grant given by the Central Government and the manner in which it has been utilised.

...3/-

We do not appreciate the executive exercising administrative control over the Presidents and Members of the District Forums as also the Members of the State Commission. In our opinion, administrative control, if any, over the Members of State Commission and Presiding Officers of District Forums should vest only in Chairperson of State Commission. The State Government may, consistently with this take suitable decision and may amend the rules, if necessary.

As to other grievances raised about the functioning of the State Commission in the State of U.P., we would like to hear the learned counsel for the parties on the next date of hearing and make suitable directions in that regard.

List after three weeks.

.SP1

(Neena Verma)
Court Master

(Radha Rani Bhatia)
Court Master