

ITEM NO.63

COURT NO.16

SECTION XVII

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Civil Appeal No.13447/2024

S S

Appellant

VERSUS

RAJAT GUPTA & ORS.

Respondents

(FOR ADMISSION; I.A. No.277101/2024-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 02-12-2024 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DIPANKAR DATTA  
HON'BLE MR. JUSTICE SANDEEP MEHTA

For Appellant(s) Mr. Trideep Pais, Sr. Adv.  
Ms. Amritananda Chakravorty, Adv.  
Mr. Mihir Samson, Adv.  
Ms. Shreya Munoth, AOR  
Ms. Sitamsini Cherukumalli, Adv.  
Ms. Vaishnavi Prasad, Adv.  
Ms. Saloni Ambastha, Adv.

For Respondent(s)

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

1. Mr. Trideep Pais, learned senior counsel for the appellant submits that the impugned order dated 05<sup>th</sup> November, 2024 has been passed by a technical member of the National Consumer Dispute Redressal<sup>1</sup> sitting singly; hence, such an order suffers from the vice of "*coram non judice*".

2. Mr. Pais, however, fairly points out that no ground in respect thereof has

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been urged in the civil appeal.

3. Our attention is drawn to the order dated 30<sup>th</sup> September, 2021 passed by this Court in Special Leave Petition (C) No.4969/2020, wherein the view expressed by the High Court of Judicature for Rajasthan at Jodhpur that a technical member sitting singly cannot preside over a bench of the NCDRC was upheld.

4. Issue notice.

5. Till the next date of hearing, proceedings in Consumer Complaint No.3180 of 2017 pending before the NCDRC shall remain stayed.

**(RASHMI DHYANI PANT)**  
**COURT MASTER (SH)**

**(SUDHIR KUMAR SHARMA)**  
**COURT MASTER (NSH)**