

(1997) 02 AHC CK 0090

In the Allahabad High Court

Case No : Civil Miscellaneous Writ Petition No. 5545 of 1997

Kailash Chand Gupta

APPELLANT

Vs

State Commission Consumer Forum, U.P., Lucknow and
others

RESPONDENT

Date of Decision : 17-02-1997

Acts Referred:

Consumer Protection Act, 1986 — Section 10, 10(1)

Citation : AIR 1997 All 312 : (1997) 2 AWC 610

Hon'ble Judges : R.A. Sharma, J;D.K. Seth, J

Bench : Division Bench

Advocate : Prakash Chandra, for the Appellant; Standing Counsel, for the Respondent

Final Decision : Dismissed

Judgement

R. A. Sharma, J.—By this writ petition, the petitioner has challenged the appointment of respondent No. 7 as member of the District Consumer Forum-II, Agra. The sole ground of attack by the learned counsel for the petitioner against the said appointment is that the respondent No. 7 is a resident of Moradabad and, therefore, could not have been appointed as a Member of the Agra Forum. In this connection, he has invited the attention of the Court to S. 10 of the Consumer Protection Act, 1986 (hereinafter referred to as the Act).

2. We have heard the learned counsel for the petitioner and Mr. Kazmi, learned Additional Chief Standing Counsel.

If a candidate satisfies the conditions laid down in S. 10(1)(b) and his name has been recommended by the Selection Committee, constituted under S. 10(1-A) of the Act, he can be appointed as a Member of a District Forum irrespective of the district to which he belongs. Section 10 of the Act does not require either expressly or by necessary implication that a member of the District Forum must be from the same district. In absence of any such restriction, the submission of

the learned counsel for the petitioner cannot be sustained.

The writ petition lacks merit and is accordingly dismissed.

3. Petition dismissed.