

(2011) 10 AHC CK 0129

In the Allahabad High Court

Case No : Civil Miscellaneous Writ Petition No. 60819 of 2011

Noman Ahamad

APPELLANT

Vs

District Consumer Forum, Azamgarh and Another

RESPONDENT

Date of Decision : 19-10-2011

Acts Referred:

Citation : (2012) 1 ADJ 26 : (2012) 4 AWC 3750

Hon'ble Judges : V.K. Mathur, J; Amitava Lala, J

Bench : Division Bench

Final Decision : Disposed Of

Judgement

Hon''ble Amitava Lala, J.—Heard Mr. Ashok Kumar Gupta holding brief of Mr. Indra Bhan Yadav, learned counsel appearing for the petitioner and Mr. S.G. Hasnain, learned Additional Advocate General for the respondents.

2. Leave is granted to the learned counsel appearing for the petitioner to add State as party respondent herein by red ink during the course of the day. A copy of the writ petition be supplied to the learned standing counsel appearing for the respondents today.

3. Petitioner's grievance is that although he has filed an application in the year 2008, it is delayed by the District Consumer Forum not having quorum up to 2011. Petitioner annexed the order sheet of the court till July 2011 and we find that in most of the occasions for not having quorum the matter is not taken. However, other grounds are also available there. The Consumer Forum is a fast track system to expedite the grievances on the part of the petitioner and if decision of such Forum is delayed in such manner, the entire scheme will be frustrated. Therefore, the President, Consumer Forum's duty is (1) to discharge the judicial functions and (2) to discharge the administrative function to the Government for the purpose of taking steps to fill up the post of members as expeditiously as possible, so that there should not be any delay in justice delivery system. Now, we find that very often these types of matters coming

before this court. It is totally undesirable and if the matters before the Consumer Forum are delayed in the manner, then the court will be constrained to pass stringent order in case of necessity.

4. Therefore, we hope that the matter will be heard and disposed of expeditiously preferably within a period of one month from the date of communication of this order.

5. Learned Additional Advocate General has fairly submitted before this court that definitely the justice delivery system will not be delayed and in case such type of vacancies are there in respect of the President or members, the matter will be looked into and steps will be taken expeditiously.

6. Writ petition is disposed of at the stage of admission, however, without imposing any cost.

Hon"ble V.K. Mathur, J.

7. I agree.