

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Civil Appeal No(s). 5728-5729/2023

MANIK CHANDRA KHAN

Appellant(s)

VERSUS

AMIT SAHA & ORS.

Respondent(s)

IA No. 176633/2023 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES

Date : 29-01-2025 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE PAMIDIGHANTAM SRI NARASIMHA
HON'BLE MR. JUSTICE MANOJ MISRA

For Appellant(s) : Mr. Rabin Majumder, AOR
Mr. Dusmanta Kumar Pradhan, Adv.

For Respondent(s) : Mrs. Rakhi Banerjee, Adv.
Mr. Chand Qureshi, AOR
Mr. Keshav Dev, Adv.
Mr. Rajat Baijal, Adv.
Mr. Chandan Kumar Mandal, Adv.
Mr. Vijay Kumar, Adv.
Mr. Raj Kumar Yadav, Adv.
Mr. Dharendra Kumar Verma, Adv.
Mr. Rakesh Ranjan, Adv.

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

1. The orders impugned in these matters were rendered by two Non-Judicial members of the National Consumers Disputes Redressal Commission. The legality and propriety of such decision making is considered by a three Judge Bench in Civil Appeal No. 3743 of 2023 in *The New India Assurance Co. Ltd. Vs. M/S Aczet Private Limited (EARLIER Known As M/S Citizen Scale (INDIA))*

Private Limited). The relevant portion of the order is as under:

"1. One of the issue of seminal importance raised on behalf of the appellant is whether the composition of two-member Bench of a Tribunal like the National Consumer Disputes Redressal Commission ('NCDRC') must include a Judicial Member, who should also be the Presiding Member of the Bench. Since the determination of the issue is likely to have its impact on the composition of various Tribunals constituted under the different statutes, we request the learned Attorney General for India, duly assisted by one of the Additional Solicitor General, to assist the Court on the next date of hearing."

3. In view of the above order, we direct the present case to be posted along with C.A. No. 3743 of 2023.

4. In the meanwhile, rejoinder, if any, be filed.

(KAPIL TANDON)
COURT MASTER (SH)

(NIDHI WASON)
COURT MASTER (NSH)