

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. _____ /2026
(@ SLP (C) NO. 36971/2025)

KSHETRIYA SHRI GANDHI ASHRAM

APPELLANT(S)

VERSUS

THE STATE OF UTTAR PRADESH & ANR.

RESPONDENT(S)

O R D E R

1. Leave granted.
2. The appellant-Society is aggrieved by the order dated 30.10.2025 passed by the High Court of Judicature at Allahabad whereby its writ petition, being Writ-C No. 27998/2025, was dismissed.
3. By way of the said writ petition, the appellant-Society had challenged the order dated 04.04.2025 passed by the District Consumer Disputes Redressal Commission¹, Jhansi, in Complaint Case No. 33/2021, on the ground that the DCDRC had no jurisdiction to entertain the consumer complaint filed by respondent No. 2, Kunj Bihari Chaube.
4. Admittedly, respondent No. 2, Kunj Bihari Chaube, was a former

1 for short "DCDRC"

- employee of the appellant-Society and the grievance that he sought to canvass by way of the consumer complaint was with regard to non-payment of his gratuity and provident fund amounts.
5. Overlooking the fact that respondent No. 2 did not qualify as a 'consumer' to maintain such a complaint case before it, the DCDRC passed an *ex parte* order on 04.04.2025 holding in his favour and directing the appellant-Society to make certain payments. Raising the issue of jurisdiction, the appellant-Society approached the High Court, but the High Court did not take note of these crucial aspects and dismissed its writ petition.
 6. We are of the opinion that the order dated 04.04.2025 passed by the DCDRC was wholly unsustainable for lack of jurisdiction and ought to have been set aside by the High Court on that count in exercise of its writ jurisdiction.
 7. The appeal is, accordingly, allowed, setting aside the impugned order 30.10.2025 passed by the High Court and the order dated 04.04.2025 passed by the DCDRC in Complaint Case No. 33/2024.
 8. However, it is left open to respondent No. 2 to invoke such remedies as are available to him in law in accordance with due procedure. The time taken by respondent No. 2 in pursuing this litigation shall not be taken into account while computing the period of limitation in that regard.

9. Pending application(s), if any, shall stand disposed of.

.....J.
(SANJAY KUMAR)

.....J.
(K. VINOD CHANDRAN)

NEW DELHI;
MAY 20, 2026.

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 SPetition for Special Leave to Appeal (C) No. 36971/2025

[Arising out of impugned final judgment and order dated 30-10-2025 in WRITC No. 27998/2025 passed by the High Court of Judicature at Allahabad]

KSHETRIYA SHRI GANDHI ASHRAM

Petitioner(s)

VERSUS

THE STATE OF UTTAR PRADESH & ANR.

Respondent(s)

Date : 20-05-2026 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KUMAR
HON'BLE MR. JUSTICE K. VINOD CHANDRAN

For Petitioner(s) Mr. Vishal Arun Mishra, AOR
Mr. Pankaj Kumar Rai, Adv.
Ms. Rupali Panwar, Adv.
Mr. Sandeep Mehta, Adv.
Mr. Garv Vikas, Adv.
Mr. Vivek Kumar Singh, Adv.

For Respondent(s) Ms. Ruchira Goel, AOR

Mr. Ankit Goel, Adv./AOR
Mr. Manish Kumar, Adv.

Mr. Siddhant Sharma, AOR
Mr. Vikram Choudhary, Adv.

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

Leave granted.

The appeal is allowed in terms of the signed order.

Pending application(s), if any, shall stand disposed of.

(BABITA PANDEY)
AR-CUM-PS(CHETNA BALOONI)
COURT MASTER (NSH)

(Signed order is placed on the file)