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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

% ***Date of Decision: 21st July, 2025***

+ CM(M) 1296/2025 & CM APPL. 43156-43157/2025

AMIT NARANG & ANR.

.....Petitioner

Through: Ms. Meghna Rao with Mr. Harshit
Goel, Advocate.

versus

NARENDRA KANJANI & ORS.

.....Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

1. Petitioners are suspended Directors of Judgment Debtor Company.
2. When Execution Petition (EA No. 373/2023) was filed before the learned National Consumer Disputes Redressal Commission (in short "NCDRC"), it was taken up on 25.03.2025. Such suspended Directors were duly represented before the learned Commission and their counsel submitted that JD firm as well as suspended Directors were under insolvency proceedings and, therefore, the execution was not tenable against them.
3. Learned NCDRC directed the matter to be taken up on 07.04.2025.
4. However, there was never any direction to such suspended Directors i.e. Mr. Amit Narang and Mrs. Gunit Amit Narang to appear in person on next date.
5. When the matter was taken up by the learned NCDRC on next date i.e. on 07.04.2025, noticing that the Directors were not present, they have been burdened with cost of Rs.1,00,000/-.



6. Such order dated 07.04.2025 is under challenge.
7. Learned counsel for petitioners submits that such suspended Directors were duly represented by the counsel on 07.04.2025 as well and they were ready to render complete assistance to the learned NCDRC but the cost has been imposed, merely, because of the fact that the Directors were not present personally, without appreciating the fact that there was no direction to said effect.
8. The next date before the learned NCDRC is stated to be 07.08.2025.
9. When asked, learned counsel for petitioners, in all fairness, submitted that she never moved any application before the learned NCDRC seeking waiver of cost.
10. After hearing arguments for some time, the present petition is disposed of with liberty to petitioners to move appropriate application before the learned NCDRC within 10 days seeking waiver of the cost for the reasons which have been highlighted here. As and when any such application is moved, this Court expects that learned NCDRC would consider the same in accordance with law, after giving due opportunity of hearing to both the sides.
11. The abovesaid direction regarding payment of cost would remain in abeyance till disposal of said application.
12. Petition stands disposed of in aforesaid terms.
13. Pending applications also stand disposed of in the aforesaid terms.

(MANOJ JAIN)
JUDGE

JULY 21, 2025/sw/SS