

SECTION XVII
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS.3663 AND 3664 OF 2012

G.D. Goel & Etc.

...Appellants

VERSUS

Sushma & Ors.

...Respondents

OFFICE REPORT FOR DIRECTIONS
(in disposed of matters)

It is submitted that the above-mentioned appeals were disposed of by this Court's Order dated 08th January, 2015.

It is submitted that a sum of Rs.50,000/- (Rupees fifty thousand only) deposited by the appellant in terms of the proviso added to Section 23 of the Consumer Protection Act, 1986 by the Consumer Protection (Amendment) Act, 2002, was deposited in the Suitors' Fund Account in both the matters. Proviso to Section 23 of the Act reads as under :

"Provided further that no appeal by a person who is required to pay any amount in terms of an order of the National Commission shall be entertained by the Supreme Court unless that person has deposited in the prescribed manner fifty percent of that amount or rupees fifty thousand whichever is less."

It is also submitted that Order XXIV of Rule 7 of the Supreme Court Rules, 2013 read as under :

"if the appeal is allowed by the Court the amount deposited by the appellant would be refunded to him without interest but if it is dismissed, the same will be allowed to be withdrawn by the respondent or may be disbursed as per the direction of the Court in that behalf".

The matters above mentioned were listed on 18.01.2016 before the Hon'ble Judge in Chambers when the Court was pleased to pass the following order:

"No application has been filed for withdrawal of the suitor fund amount, let it remain with the Registry."

It is further submitted that no application for withdrawal of Suitor Fund amount in the matters above mentioned have been filed so far.

In view of the above, The Office report for directions on the amount lying in the suitor fund in the matters above mentioned is listed before the Hon'ble Judge-in-Chambers with this office report.

DATED THIS THE 02nd DAY OF FEBRUARY, 2017.

ASSISTANT REGISTRAR

Copy to : Mr. Ashwani Kumar, Advocate
Mr. R. Sathish, Advocate
Mr. Umang Shankar, Advocate
Mr. Yashpal Dhingra, Advocate

ASSISTANT REGISTRAR