

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

RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).10664/2006

(From the judgement and order dated 29/07/2005 in FA No.272/2005
of The NATIONAL CONSUMER DISPUTES REDRESSAL COMMISSION, NEW DELHI)

SUDHA JAIN

Petitioner(s)

VERSUS

CHIEF MANAGER & ANR.

Respondent(s)

(With office report)

Date: 07/05/2007 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.N. AGRAWAL

HON'BLE MR. JUSTICE P.P. NAOLEKAR

For Petitioner(s) Dr. I.B Gaur,Adv.

Mr. Piyush Sharma,Adv.

Mr. Neeraj Dutt Gaur,Adv.

For Respondent(s)

No.1: Mr. M.T. George,Adv.

No.2: In-person (N/P)

UPON hearing counsel the Court made the following

O R D E R

Heard learned counsel for the parties.

Leave granted.

The civil appeal is allowed.

No costs.

[Alka Dudeja]

[Om Prakash]

Court Master

Court Master

[Signed order is placed on the file]

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.2375 OF 2007

(Arising out of S.L.P. (C) No.10664 of 2006)

Sudha Jain

...Appellant(s)

Versus

Chief Manager & Anr.

...Respondent(s)

O R D E R

Heard learned counsel for the parties.

Leave granted.

The State Consumer Disputes Redressal Commission

[for short, "the State Commission"] directed for return of the

complaint for being filed before the District Consumer Forum as,

in its opinion, the claim made by the complainant in the

complaint petition was exaggerated. In the petition of

complaint, the complainant has made a total claim of

Rs.68,51,321/-. The said order of the State Commission has

been confirmed in revision. Hence, this appeal by special leave.

As the amount claimed was Rs.68,51,321/-, which was

within the jurisdiction of the State Commission and beyond the

...2/-

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jurisdiction of the District Consumer Forum, the State

Commission was not justified in returning the complaint.

Accordingly, the civil appeal is allowed, impugned orders are set

aside and the complaint is restored to its original file. Now, the

State Commission shall dispose of the complaint in accordance

with law after giving opportunity of hearing to the parties.

No costs.

.....J.

[B.N. AGRAWAL]

.....J.

[P.P. NAOLEKAR]

New Delhi,

May 07, 2007.