

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).9581/2005

(From the judgement and order dated 19/01/2005 in RP No.3357/2004
of The NATIONAL CONSUMER DISPUTES REDRESSAL COMMISSION, NEW
DELHI)

GIRISH CHANDRA AGGARWAL

Petitioner(s)

VERSUS

RAMESH PRASAD

Respondent(s)

(With prayer for interim relief and office report)

Date: 14/05/2009 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.N. AGRAWAL
HON'BLE MR. JUSTICE G.S. SINGHVI
HON'BLE DR. JUSTICE B.S. CHAUHAN

For Petitioner(s) Mr. Sanjeev Kumar,Adv.
Mr. Dharmendra Kumar Sinha,Adv.

For Respondent(s) Mr. Gopal Prasad,Adv.

UPON hearing counsel the Court made the following
ORDER

Leave granted.

The civil appeal is allowed.

[Alka Dudeja] [Savita Sainani]
Court Master Court Master

[Signed order is placed on the file]

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.3556 OF 2009
(Arising out of S.L.P. (C) No.9581 of 2005)

Girish Chandra Aggarwal

...Appellant(s)

Versus

Ramesh Prasad

...Respondent(s)

O R D E R

Leave granted.

By the impugned order, the National Consumer Disputes Redressal Commission [for short, "National Commission"] has dismissed the revision application against the order passed by the State Consumer Disputes Redressal Commission [for short, "State Commission"] whereby the State Commission refused to condone the delay in filing the appeal.

Having heard learned counsel for the parties and perused the records, we are of the view that the State Commission was not justified in refusing to condone the delay.

Accordingly, the appeal is allowed, impugned orders are set aside and delay in filing the appeal before the State Commission is condoned. Now, the State Commission shall decide the appeal on merits in accordance with law after giving opportunity of hearing to the parties.

.....J.
[B.N. AGRAWAL]

.....J.
[G.S. SINGHVI]

.....J.
[DR. B.S. CHAUHAN]

New Delhi,
May 14, 2009.