

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

RECORD OF PROCEEDINGS

Civil Appeal No.3358 of 2004

NEW INDIA ASSURANCE CO. LTD.

Appellant (s)

VERSUS

MANMANDIR SYNTHETICS PVT. LTD.

Respondent (s)

(With appln(s). for stay)

Date: 25/11/2004 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.N. AGRAWAL

HON'BLE Mr. JUSTICE P.K. BALASUBRAMANYAN

For Appellant (s)

Mr. Devvrat, Adv.

Mr. Jos Chiramel, Adv.

Mr. S.B. Upadhyay, Adv.

For Respondent (s)

Mr. Manish Singhvi, Adv.

Mr. Saurabh Ajay, Adv.

Mr. P.V. Yogeswaran, Adv.

UPON hearing counsel the Court made the following

O R D E R

Heard the learned counsel for the parties.

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. 3358 OF 2004

New India Assurance Co. Ltd

...Appellant (s)

Versus

Manmandir Synthetics Pvt. Ltd.

...Respondent(s)

O R D E R

Heard learned counsel for the parties.

This appeal has been filed by the appellant against the interim award passed

by the National Consumer Disputes Redressal Commission [for short, 'the Commission'].

In the facts and circumstances of the case, we are of the view that it is not a fit case where

the Commission should have passed an interim award.

Accordingly, the appeal is allowed, impugned order is set aside and the matter

is remitted to the Commission to dispose of the complaint in accordance with law after

giving opportunity of hearing to the parties. No costs.

.....J.

(B.N. Agrawal)

.....J.

(P.K. Balasubramanyan)

New Delhi,

November 25, 2004.