

SECTION XVII

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

**CIVIL APPEAL No. 6352-58 OF 2005**

General Insurance Corporation Of India Etc. ... Appellants

VERSUS

Gujarat State Consumer's Protection centre & Ors. Etc..Respondents

**OFFICE REPORT FOR DIRECTION**

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 each appeal. 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by the appellant would be refunded to him without interest but if it is dismissed, the same will be allowed to be withdrawn by the respondent or may be disbursed as per the direction of the Court in that behalf".**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 Appeals above mentioned were listed before the Hon'ble Judge in Chambers on 02.11.2015 with Office report dated 13.10.2015, When the Court was pleased to pass the following order:

**"As prayed for, four weeks' time is granted to learned counsel for the respondents to file application for withdrawal of Suitor Fund amount."**

It is submitted that Counsel for the respondents in all these appeals have not filed application for withdrawal of suitor fund amount in the matters so far. Orders are solicited on the suitor fund amount lying in the Registry in all these appeals.

The matters above mentioned are listed before the Hon'ble Judge in Chambers with this office report.

DATED THIS THE 10TH DAY OF FEBRUARY, 2016.

ASSISTANT REGISTRAR

Copy to : Mr. Ashwani Kumar, Advocate  
Ms. Purnima Bhatt, Advocate  
Ms. Kavita Wadia, Advocates  
Ms. Hemantika Wahni, Advocate

ASSISTANT REGISTRAR