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C.A.No. 7533 OF 1995  
L.....T.....T.....T.....T.....T.....T.....T.....T.....T.....R  
ITEM No.105 Court No. 4 SECTION XVII

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

Civil Appeal No. 7533 of 1995@@  
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Skipper Tower (P) Ltd. ...Appellant(s)

Vs.

Skipper Bhawan Flat Buyers Association. ...Respondent(s)

(With Office Report)

Date : 17/07/2001 These petition(s)/appeal(s) was/were called  
on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.B. PATTANAİK  
HON'BLE MR. JUSTICE U.C. BANERJEE

For Appellant (s) Ms. Kiran Suri, Adv.

For Respondent (s) Col. Jaswant Singh,  
Respondent-in-person.

UPON hearing counsel, the Court made the following  
O R D E R

.....L.....I.....J  
.SP2

Appeal dismissed in terms of the signed order.

.SP1

(J.S. Rawat)  
Court Master

(D.D. Jindal)  
Assistant Registrar

(Signed order is placed on the file)

.PA  
.PL58

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.7533 OF 1995@@  
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Skipper Tower (P) Ltd.

... Appellant (s)

Vs.

Skipper Bhawan Flat Buyers Asson.

... Respondent (s)

O R D E R@@  
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.SP2

This appeal is directed against the order of the National Consumer Disputes Redressal Commission dated 13.1.1995 passed in Original Petition No.16 of 1991. When this appeal was called, Mrs. Kiran Suri, advocate appearing for the appellant made a prayer that she has been engaged in this case only yesterday and 'no objection certificate' has been given by the previous advocate on record and as such she is not in a position to proceed with the matter and the matter may be adjourned. The respondent - Skipper Bhawan Flat Buyers Association is personally present through Col. Jaswant Singh and vehemently objects to any adjournment being given. Apart from the respondent's objection, we also find that there is an earlier judicial order rejecting the application for discharge of the advocate on record. Be that as it may, if a counsel accepts the engagement knowing fully well that the matter is already on board, then the counsel must be prepared to proceed with the matter and is not entitled to take a plea that he or she is not in a position to proceed with the matter inasmuch as he or she has been engaged recently.

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(2)

We have ourselves scrutinized the impugned order of the National Consumer Disputes Redressal Commission. Having examined the said order and taking into account the facts of the case as well as the grounds taken in the appeal memo, we see no infirmity in the conclusion arrived at by the National Consumer Disputes Redressal Commission requiring our interference in the matter. The appellant to say the least does not deserve any sympathy or any equitable consideration in the facts and circumstances of the present case. Thus, in our view, neither in law nor on any equitable consideration, the impugned order of the National Consumer Disputes Redressal Commission requires interference by this Court. We, therefore, dismiss this appeal.

.SP1

.....J.@@  
BBBBBBBBBBBBBBBBBBBBBBBBBBBB  
(G.B. Pattanaik)@@  
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BB

.....J.@@  
BB  
(U.C. Banerjee)@@  
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New Delhi,  
July 17, 2001.