

SECTION XVII

Matter for 6/7/2015

Court NO. 5

Item NO. 24

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. 3663 AND 3664 OF 2012

G.D. GOEL

... Appellant

VERSUS

Sushma & Ors.

....Respondents

OFFICE REPORT FOR DIRECTION

The appeals above mentioned were disposed of by this Hon'ble Court, on 8th January, 2015. (Copy of order included in the paper books).

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 both the matters. 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 Rule 7 of Order XXIV of the Supreme Court Rules, 2013 containing the above provision provides that 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by the appellant would be refunded to him without interest but if it is dismissed, the same will be allowed to be withdrawn by the respondent or may be disbursed as per the direction of the Court in that behalf.

It is further submitted that the above-mentioned appeals have been disposed of by this Court's Order dated 8th January, 2015 (Copy enclosed) and no application for withdrawal of above-said amount has been filed so far.

The office report for direction in the matters above mentioned is listed before the Hon'ble Court for orders.

DATED THIS THE 18TH DAY OF MAY, 2015.

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