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SLP(C)No. 9442 OF 2003
ITEM No.54

Court No. 5

SECTION XVII
A/N MATTER

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

Petition(s) for Special Leave to Appeal (Civil) No.9442/2003

(From the judgement and order dated 11/02/2003 in FA 85/03
of The NATIONAL CONSUMERS DISPUTES REDRESSAL COMMISSION, NEW DELHI)

VIJAYNANDA VIJAYSINGH JADHAV

Petitioner (s)

VERSUS

J.A. BARVE & ANR.

Respondent (s)

Date : 04/04/2005 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.N. VARIAVA
HON'BLE MR. JUSTICE H.K. SEMA

For Petitioner (s)Mr.Santosh Paul,adv
Mr.Rajeev Sharma,adv
Mr.Sandeep Chhabara,adv
Mr. M.J.Paul,Adv.

For Respondent (s) Ms.Jayshree Wad.adv
Mr.Ashish Wad.adv
Mr.Neeraj Kumar,adv
M/s. J.S. Wad & Co.,Adv.

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

We find that the National Commission had refused to condone a delay of 89 days in filing the appeal. The Commission had opined that the impugned order was in English and therefore the explanation that other documents had to be translated was not adequate. Even though the order may be in English, the other documents have to be filed with the appeal. Therefore, translations would be required. The reason was therefore adequate.

We, therefore, set aside the impugned order and remit back the matter to the Commission for disposal on merits.

The Special Leave Petition is disposed of accordingly.

(T.K.Viswanadhan)
A.R.Cum P.S.

(Jasbir Singh)
Court Master