

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(s). 7037 OF 2004

ETHIOPIAN AIRLINES

Appellant (s)

VERSUS

GANESH NARAIN SABOO

Respondent(s)

(With appln(s) for permission to place addl. documents on record

Date: 10/11/2009 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MARKANDEY KATJU
HON'BLE MR. JUSTICE ASOK KUMAR GANGULY

For Appellant(s) Mr. K.J. Presswalla,Adv.
Mr. R. Pardiwalla,Adv.
Mr. Shiv Kumar Suri,Adv.
Mr. Hasan Murtaza,Adv.

For Respondent(s) Mr. Rajesh K. Khanna,Sr.Adv.
Mr. Rajesh Sehgal,Adv.
Ms. Shailja Sinha,Adv.
Mr. Surya Kant,Adv.

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

The questions in this case is whether proceedings before the Consumer Forum are suits. It appears that there are two conflicting judgments on this point - E.I.C.M. Exports Vs. South Indian Corpn. 2009 (10) SCALE and Patel Roadways Ltd. Vs. Birla Yamaha Ltd. (2000) 4 SCC 91. Hence we are referring the matter to a larger Bench to resolve this conflict, to be constituted by Hon'ble the Chief Justice of India.

(Arvind)
Sr. P.A.

(Vijay Dhawan)
Court Master