

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 2871/2022

MANAGING DIRECTOR, APOLLO CRADLE & ORS.

APPELLANTS

VERSUS

ISHITA TIKKHA & ORS.

RESPONDENTS

O R D E R

Learned counsel appearing on behalf of the appellants relying upon para 1 of the impugned order has vehemently submitted that when IA No.9620/2021 filed by the appellants for seeking expert opinion in this matter is dismissed, thereafter the National Commission would not consider the same. However, it is to be noted that in the 2<sup>nd</sup> para, it is specifically observed that "The Bench may consider whether there is any need of expert opinion and act accordingly."

In that view of the matter, we see no reason to interfere with the impugned order at this stage. The Civil Appeal is dismissed.

Still, it will be open for the appellants to request for expert opinion and as observed by the National Commission in para 2, reproduced hereinabove, the same may be considered in accordance with law and on its own merits. If in case any adverse order is passed, it goes without saying that it will always be open for the respondents to challenge the same before this Court which may be considered in accordance with law and on its own merits.

.....J.  
[M.R. SHAH]

.....J.  
[B.V. NAGARATHNA]

NEW DELHI  
APRIL 18, 2022

ITEM NO.11

COURT NO.12

SECTION XVII-A

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. 2871/2022

MANAGING DIRECTOR, APOLLO CRADLE & ORS.

Appellant(s)

VERSUS

ISHITA TIKKHA & ORS.

Respondent(s)

(IA No.54684/2022-EXEMPTION FROM FILING C/C OF THE IMPUGNED  
JUDGMENT and IA No.54685/2022-STAY APPLICATION )

Date : 18-04-2022 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE M.R. SHAH  
HON'BLE MRS. JUSTICE B.V. NAGARATHNA

For Appellant(s) Dr. Harshvir Pratap Sharma, Sr. Adv.  
Mr. Dhruv Wahi, Adv.  
Mr. Paras Joshi, Adv.  
Mr. Tejas Patel, AOR  
Mrs. Meera Kaura, Adv.  
Mr. Ajay Chand Sharma, Adv.

For Respondent(s)

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

The Civil Appeal is dismissed in terms of the  
signed order.

Pending application(s) shall stand disposed of.

(NEETU SACHDEVA)  
COURT MASTER (SH)

(signed order is placed on the file)

(NISHA TRIPATHI)  
BRANCH OFFICER