

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION
CIVIL APPEAL NO.7488 OF 2008

NAVITA RUSTOGI

APPELLANT (S)

VERSUS

M/S WELLAREA TRADING P.LTD.

RESPONDENT (S)

O R D E R

This appeal arises out of the judgment rendered in exercise of jurisdiction under Article 227 of the constitution of India. By the impugned judgment the High Court in C.O. No.3077/2066 reversed the order of the State Consumer Disputes Redressal Commission, West Bengal passed in S.C. Case No.392/A/2005.

The said order is admittedly a revisable order under Section 21(b) of the Consumer Protection Act, 1986. We see no justification for the High Court to interfere in the matter when a clear statutory remedy is available for the aggrieved parties.

In the circumstances, we set aside the impugned judgment leaving it open to the respondent to approach the National Consumer Disputes Redressal Commission within a period of eight weeks.

The appeal is accordingly allowed.

.....J.
[J. CHELAMESWAR]

.....J.
[S. ABDUL NAZEER]

NEW DELHI
DATED; AUGUST 10, 2017

ITEM NO.104

COURT NO.3

SECTION XVI

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(s). 7488/2008

NAVITA RUSTOGI

Appellant(s)

VERSUS

M/S WELLAREA TRADING P.LTD.

Respondent(s)

Date : 10-08-2017 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J. CHELAMESWAR
HON'BLE MR. JUSTICE S. ABDUL NAZEER

For Appellant(s) Mr. Sunil Kumar, Sr. Adv.
Mr. Hiren Dasan, Adv.
Mr. Uday Gupta, Adv.
Mr. Chand Qureshi, Av.
Mr. Rahul Arya, Adv.
Ms Sarla Chandra, AOR

For Respondent(s) Mr. Vivek Sood, Sr. Adv.
Mr. Abhijeet Sinha, AOR

Mr. Sunil Kumar Verma, AOR

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

The appeal is allowed in terms of the signed order.

Pending application(s), if any, stand disposed of.

(OM PARKASH SHARMA)
AR CUM PS

(RAJINDER KAUR)
COURT MASTER

(Signed order is placed on the file)