

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
C I V I L A P P E A L N O (s) . 8 4 7 6 O F 2 0 0 3

SUN & H I L L S F I N A N C I A L S E R V I C E S P . L T D & A N R Appellant (s)
V E R S U S

K A D A M U T T A M R A O S A M P A T R A O & A N R . Respondent(s)

Date: 05/05 / 2 0 0 9 This Appeal was called on for hearing today.

C O R A M :
H O N ' B L E M R . J U S T I C E M A R K A N D E Y K A T J U
H O N ' B L E M R . J U S T I C E H . L . D A T T U

For Appellant(s) Mr. Udaya Kumar Sagar, Adv.
Ms. Bina Madhavan, Adv.
for M / S. Lawyer'S Knit & Co, Adv.

For Respondent(s) Mr. M. K. Dua, Adv.
Mr. Kishore Rawat, Adv.

Mr. Satyapal Khushal Chand Pasi, Adv.

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

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

(Arvind) (Indu Satija)
Sr. P.A. Court Master

(Signed order is placed on the file)
I N T H E S U P R E M E C O U R T O F I N D I A
C I V I L A P P E L L A T E J U R I S D I C T I O N
C I V I L A P P E A L N O . 8 4 7 6 O F 2 0 0 3

SUN & H I L L S F I N A N C I A L S E R V I C E S ..AP P E L L A N T S
P . L T D . & A N R .
V E R S U S

K A D A M U T T A M R A A A O S A M P A T R A O & A N R .
..R E S P O N D E N T S

O R D E R

Heard counsel for the parties.

This appeal has been filed against the order dated 18.2.2003 of the
National Consumer Disputes Redressal Commission, New Delhi.
carefully perused the impugned order.

We have

Although the order is of about 3-1/2 pages, the relevant part of it merely states:

"Upon hearing the parties and upon going sthrough the record available before us we are of the opinion that the order of the State Commission does not suffer from any infirmity which may call for our interference."

Apart from what is stated above no further reason has been given in the impugned order.

This Court has held in a number of decisions that though an order of affirmation need not contain as elaborate reasons as an order of reversal, but that does not mean that an order of affirmation need not contain any appropriate reasons at all.

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:2 :

(See Chairman, Disciplinary Authority, Rani Lakshmi Bai Kshetriya Gramin Bank Vs. Jagdish Sharan Varshney & Ors., JT 2009 (4) SC 519 & Divisional Forest Officer Vs. Madhu Sudan Rao, JT 2008 (2) SC 253 etc.)

Hence the order of National Consumer Disputes Redressal Commission, in our opinion, is liable to be set aside as it does not contain any proper reasoning.

We set aside the impugned order and remand the matter back to the National Commission for a fresh decision after hearing the parties and by giving proper reasons, expeditiously.

The Civil Appeal is allowed. No costs.

.....J
(MA R K A N D E Y K A T J U)

.....J
(H.L. DATTU)

NE W D E L H I .

M A Y 5, 2009