

Sl
SLP(C)No. 19448 OF 2000

ITEM No.49

Court No.10

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.19448/2000

(From the judgement and order dated 17/05/2000 in RP 147/00
of The NATIONAL CONSUMERS DISPUTES REDRESSAL COMMISSION, NEW DELHI)

PURAN CHAND WADHWA

Petitioner (s)

VERSUS

HANIL ERA TEXTILES LTD.

Respondent (s)

Date : 3/04/2001 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE D.P. MOHAPATRA
HON'BLE MR. JUSTICE SHIVARAJ V. PATIL

For Petitioner (s)

Petitioner-In-Person,Adv.

For Respondent (s)

Mr. Raju Ramachandran, Sr.Adv.
Mr. R.B.Hathikhanwala, adv.for
M/s. Hathi & Co.Advs.

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

.....L.....I.....T.....T.....T.....T.....T.J
.SP2

Leave granted.
Appeal is allowed. No cost.

.SP1

(Suman Wadhwa)
PA to Addl.Regr.

(S.Malkani)
Court Master

Signed order is placed on the file.

.PA
.PL55

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. OF 2001@@
CCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCC
(Arising out of SLP(C)No. 19448/2000)

Puran Chand Wadhwa

...Appellant

Vs.

Hanil Era Textiles Ltd.

...Respondent

ORDER@@
CCCCC

.....L.....I.....T.....T.....T.....T.....T.....J.
.SP3

Leave granted.

Petitioner - Puran Chand Wadhwa is present today. We have heard him. We have also heard Mr. Raju Ramachandran, learned senior counsel appearing for the respondent. By the order passed on 2.1.2001 notice was issued to the respondent to show cause why the order passed by the National Consumers Disputes Redressal Commission shall not be set aside and the matter be remanded to the Commission for disposal on merits. The National Commission dismissed the revision petition filed by the petitioner by a cryptic order which reads as follows:

-2-

.....L.....I.....T.....T.....TJ.
.SP1

"We do not find any illegality or jurisdictional error in the order passed by the State Commission. The Revision Petition is dismissed."

.....L.....I.....T.....T.....T.....T.....TJ.
.SP3

On perusal of the records and on consideration of the submissions made by the petitioner, who appeared in person and the learned counsel for the respondent we are of the view that the revision petition should be disposed of on merits, particularly since the case involves the question of jurisdiction of the District and State Commission to entertain a matter. Accordingly, the appeal is allowed. The order under challenge is set aside. The matter is remitted to the National Consumer Disputes Redressal Commission for disposal of the revision petition, R.P. No.147/2000 on merits after giving opportunity of hearing to the parties. No cost.

.SP1
.....J.
(D.P.MOHAPATRA)

New Delhi;
April 3,2001.

.....J.
(SHIVARAJ V. PATIL)