

X

C.A.No. 1297-1298 OF 1998

ITEM No.102

Court No. 6

SECTION XVII

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Civil Appeal Nos. 1297-1298 of 1998

NATIONAL INSURANCE CO. LTD.

Appellant (s)

VERSUS

PREMJIBHAI R. HODAR & ANR.

Respondent (s)

Date : 13/01/2004 These appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SHIVARAJ V. PATIL  
HON'BLE MR. JUSTICE D.M. DHARMADHIKARI

For Appellant (s) Mr. Vishnu Mehra, Adv.  
Mr. B.K. Satiya, Adv.

For Respondent (s) Mr. B. Mohan, Adv.

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

Heard the learned counsel for the parties from  
10.55 a.m. to 11.45 a.m.

The civil appeals are dismissed.

No costs.

[ T.I. Rajput ] [ Shelly Sengupta ]  
Court Master Court Master

[Signed order is placed on the file]

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. 1297-1298 OF 1998

National Insurance Co. Ltd.

...Appellant(s)

Versus

Premjibhai R. Hodar & Anr. . . . Respondent(s)

O R D E R

After hearing the learned counsel for the parties for quite some time, we are satisfied that the impugned order passed by the National Consumer Disputes Redressal Commission [for short, "the National Commission"] does not call for any interference. The State Consumer Disputes Redressal Commission [for short, "the State Commission"], either on the facts found or established, recorded finding against the appellant-Insurance Company having regard to the facts and circumstances of the case. The National Commission, in the appeal preferred by the Insurance Company, under the impugned order after re-consideration, did not find any good or valid ground to take a different view than the one taken by the State Commission.

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- 2 -

On a perusal of the order of the State Commission and the impugned order in the light of the submissions made by the learned counsel for the parties, we are not persuaded to disturb the impugned order. In this view of the matter, finding no merit in the appeals, we dismiss them. The Bank guarantees furnished by the respondents stand discharged. No costs.

.....J.  
[SHIVARAJ V. PATIL]

.....J.  
[D.M. DHARMADHIKARI]  
New Delhi,  
January 13, 2004.