

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

Petitions for Special Leave to Appeal (Civil) No(s).15537-15543/2010

(From the judgement and order dated 02/02/2010 in FA No. 200/2005 & FA No. 201/2005 & FA No. 202/2005 & FA No. 203/2005 & FA No. 204/2005 & FA No. 205/2005 & FA No. 206/2005 of The NATIONAL CONSUMERS DISPUTES REDRESSAL COMMISSION, NEW DELHI)

KISHORE CHANDRA SAHOO Petitioner(s)

VERSUS

BRNACH MANAGER,ORIENTAL INS.CO.LTD.&ANR Respondent(s)

(With appln(s) for permission to place addl. documents on record and prayer for interim relief )

Date: 24/05/2010 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI  
HON'BLE MR. JUSTICE C.K. PRASAD  
(VACATION BENCH)

For Petitioner(s) Mr. Manoj Kumar Das, Adv.  
Mr. Sibor Sankar Mishra,Adv.

For Respondent(s)

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

This petition is directed against order dated 2.2.2010 passed by the National Consumer Disputes Redressal Commission (for short, 'the National Commission') in F.A. Nos.200 to 206 of 2005 whereby the National Commission remitted the matter to the State Consumer Disputes Redressal Commission, Orissa (for short, 'the State Commission') for fresh disposal of the complaints filed by the petitioner.

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Learned counsel for the petitioner pointed out that even though the National Commission did not issue any direction to his client for deposit the amount already received from the insurance company, by an order dated

21.4.2010, the State Commission directed him to deposit the amount with the Commission.

In our view, the order passed by the National Commission is essentially just and does not call for interference under Article 136 of the Constitution of India. However, legality of the direction given by the State Commission to the petitioner to deposit the amount received by him from the insurance company needs consideration.

Issue notice to the respondents to show cause as to why the direction contained in order Annexure P-8 passed by the State Commission may not be set aside.

Rule is made returnable in 12 weeks. Dasti in addition is permitted.

Notice on the petitioner's prayer for interim relief.

In the meanwhile, operation of order Annexure P-8 dated 21.4.2010 passed by the State Commission shall remain stayed.

(Neetu Khajuria) (Phoolan Wati Arora)  
Sr.P.A. Court Master