

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

RECORD OF PROCEEDINGS

CIVIL APPEAL NO.6969 OF 2000

GHAZIABAD SHIKSHA SANSTHAN

Appellant (s)

VERSUS

NEW OKHLA INDUSTRIAL DEV.AUTHORITY

Respondent(s)

(With application for taking additional documents on record and office report)

Date: 17/01/2007 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.N. AGRAWAL

HON'BLE MR. JUSTICE P.P. NAOLEKAR

For Appellant(s) Mr. V. Shekhar, Sr. Adv.

Mr. R. Mohanty, Adv.

Mr. S.K. Sajwan, Adv.

Mr. Shiv Sagar Tiwari, Adv.

For Respondent(s) Mr. Ravindra Kumar, Adv.

UPON hearing counsel the Court made the following

O R D E R

Heard learned counsel for the parties.

The appeal is disposed of.

[Alka Dudeja]

Court Master

[Om Prakash]

Court Master

[Signed order is placed on the file]

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.6969 OF 2000

Ghaziabad Shiksha Sansthan

...Appellant(s)

Versus

New Okhla Industrial Development Authority

...Respondent(s)

O R D E R

Heard learned counsel for the parties.

After some arguments, learned counsel appearing on behalf of the appellant is permitted to withdraw this appeal to enable the appellant to move the competent civil court by filing a properly constituted suit. As the appellant was bona fide prosecuting the petition before the National Consumer Disputes Redressal Commission [for short, 'the Commission'] as well as the

appeal before this Court, we direct that if along with the plaint a
petition under Sections 5 and 14 of the Limitation Act is filed, the
time from the date of filing of the Original Petition before the
Commission till this date shall be excluded in computing the
period of limitation.

The appeal is, accordingly, disposed of.

.....J.
[B.N. AGRAWAL]

.....J.
[P.P. NAOLEKAR]

New Delhi,
January 17, 2007.