

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.6954 OF 2000

R.K. MEHTA

Appellant (s)

VERSUS

KUWAIT AIRWAYS CORPN.

Respondent(s)

(With appln(s) for permission to file additional documents)

Date: 20/03/2007 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.N. AGRAWAL

HON'BLE MR. JUSTICE P.P. NAOLEKAR

HON'BLE MR. JUSTICE H.S. BEDI

For Appellant(s) Mr. R.K. Mehta, in-person

Mr. Ajit Pudussery,Adv. N/P)

For Respondent(s) Ms. Sangeeta Mandal,Adv.

Mr. Dharmesh Srivastava,Adv.

Ms. Swati Sinha,Adv.

Ms. Jayasree Singh,Adv.

for M/s. Fox Mandal & Co.,Adv.

UPON hearing counsel the Court made the following

O R D E R

Permission to file additional documents is granted.

Heard the appellant, who is appearing in-person, and the learned counsel for the respondent.

The civil appeal is, accordingly, allowed, impugned order is set aside and the matter is remitted to the Commission to dispose of the complaint in accordance with law after giving opportunity of hearing to the parties.

[Alka Dudeja]

Court Master

[Vijay Aggarwal]

Court Master

[Signed order is placed on the file]

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.6954 OF 2000

R.K. Mehta

...Appellant(s)

Versus

Kuwait Airways Corporation

...Respondent(s)

O R D E R

Heard the appellant, who is appearing in-person, and the learned counsel for the respondent.

By the impugned order, the National Consumer Disputes Redressal Commission [for short, 'the Commission'] has

dismissed the original complaint without giving any reason whatsoever for its dismissal. It is well settled that for disposing of the complaint on the original side, the Commission was required to pass a speaking order and the said having not been done, the impugned order suffers from the infirmity and is liable to be set aside on this ground alone.

The civil appeal is, accordingly, allowed, impugned order is set aside and the matter is remitted to the Commission to dispose of the complaint in accordance with law after giving opportunity of hearing to the parties.

.....J.

[B.N. AGRAWAL]

.....J.

[P.P. NAOLEKAR]

.....J.

[H.S. BEDI]

New Delhi,
March 20, 2007.