

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. 4819 OF 2012

CONSUMER ONLINE FOUNDATION

Appellant (s)

VERSUS

AIRPORT ECONOMIC REG. AUTHORITY & ORS.  
(With appln(s) for stay and office report)

Respondent(s)

WITH

C.A. No.5735/2012  
(With appln.(s) for stay and permission to file additional documents and office report)

Date: 12/10/2012 These Appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE D.K. JAIN  
HON'BLE MR. JUSTICE MADAN B. LOKUR

For Appellant(s)  
CA 4819/2012

Mr. Prashant Kumar, Adv.  
Mr. Anurag Sharma, Adv.  
Mr. Rudeshwar Singh, Adv.  
Mr. Arunabh Choudhary, Adv.  
for M/s Ap & J Chambers, Adv.-on-record

CA 5735/12

Mr. Ramji Srinivasan, Sr. Adv.  
Ms. Poonam Varma, Adv.  
Mr. Pukhrambam Ramesh Kumar, Adv.-on-record  
Ms. Divya Chaturvedi, Adv.  
Mr. Varun Singh, Adv.  
Mr. Kawaljit Singh Bhatia, Adv.  
Mr. Vivek Paul, Adv.

For Respondent(s)

Mr. L.Nageshwar Rao, Sr. Adv.  
Mr. Atul Sharma, Adv.  
Mr. Milanka Chaudhury, Adv.  
Mr. Sarojanand Jha, Adv.  
Mr. Sunil Fernandes, Adv.-on-record

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Mr. Atul Nanda, Sr. Adv.  
Mr. Naresh Kaushik, Adv.  
Mr. Sanjeev K. Bhardwaj, Adv.  
Mrs Lalita Kaushik, Adv.-on-record

Ms. Rameeza Hakeem, Adv.  
Mr. Priyadarshi Gopal, Adv.  
for M/s Law Associates & Co.Adv.-on-record

Mr. Siddharth Luthra, ASG  
Mr. B.K. Prasad, Adv.-on-record  
Mr. A.K. Srivastava, Adv.  
Ms. Divya, Adv.  
Mr. Prnay Agarwal, Adv.  
Ms. Padma Nigam, Adv.

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

The appeals are allowed in terms of the signed order.

| (VINOD LAKHINA) | | (KUSUM GULATI) |  
| COURT MASTER | | COURT MASTER |

(SIGNED ORDER IS PLACED ON THE FILE)

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 4819 OF 2012

CONSUMER ONLINE FOUNDATION ...APPELLANT

VERSUS

AIRPORTS ECONOMIC REGULATORY  
AUTHORITY OF INDIA & ORS. ...RESPONDENTS

WITH  
CIVIL APPEAL NO.5735 OF 2012  
[FEDERATION OF INDIAN AIRLINES VERSUS AIRPORTS ECONOMIC  
REGULATORY AUTHORITY OF INDIA & ANR.]

ORDER

These appeals are directed against two orders, both dated 2nd May, 2012, passed by the Airports Economic Regulatory Authority Appellate Tribunal (for short "the Tribunal"), whereby the Tribunal has declined to condone delay of approx. 2 months in filing the appeals. Consequently, both the appeals have been dismissed on the ground of limitation.

Learned counsel appearing for the contesting parties submit that insofar as the question of condonation of delay in preferring appeals to the Tribunal is concerned, they have no objection to the same being condoned. They pray that the impugned order be set aside and the matter may be remitted back

to the Tribunal for consideration of appeals on merits.

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In view of the above, we allow the appeals; set aside the impugned orders; condone the delay in filing of the said appeals and direct that both the appeals shall be taken up by the Tribunal for consideration on merits. Regard being had to the nature of the issue involved, we would request the Tribunal to try to expedite the hearing of the appeals.

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(D.K. JAIN, J.)

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(MADAN B. LOKUR, J.)

NEW DELHI  
OCTOBER 12, 2012