

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

Petition(s) for Special Leave to Appeal (Civil) No(s).12231/2006

(From the judgement and order dated 30/03/2006 in FA No.444/2003 of The NATIONAL CONSUMERS DISPUTES REDRESSAL COMMISSION, NEW DELHI)

HINDUSTAN PETROLEUM CORPN. LTD. Petitioner(s)

VERSUS

M/S. SHREYA ENTERPRISES & ORS. Respondent(s)
(With prayer for interim relief and office report)

WITH Civil Appeal NO. 5929 of 2006

(With appln(s) for condonation of delay in filing appeal and permission to file rejoinder affidavit and office report)

SLP(C) NO. 6888 of 2007

(With appln(s) for C/delay in filing SLP and C/delay in refiling SLP and office report)

Civil Appeal NO. 772 of 2007

(With office report)

Date: 13/09/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SUDHANSU JYOTI MUKHOPADHAYA

HON'BLE MR. JUSTICE RANJAN GOGOI

For Petitioner(s)

Mr. Harin P. Raval, Sr. Adv.
Mr. Sanjay Kapur, Adv.
Mr. Anmol Chandan, Adv.
Ms. Ssubhra Kapur, Adv.
Mr. L.B. Rai, Adv.
Mr. Shankar Divate, Adv.
Dr. V.P. Appan, Adv.
Mr. S. Ramesh, Adv.

Mr. Ram Ekbal Roy, Adv.
Mr. Rameshwar Pd. Goyal, Adv.

For Respondent(s)

Mr. Harin P. Raval, Sr. Adv.
Mr. Sanjay Kapur, Adv.
Mr. Anmol Chandan, Adv.
Ms. Shubhra Kapur, Adv.

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Mr. Vishnu Mehra, Adv.
Ms. Sakshi Mittal, Adv.

Mr. K.M. Rao, Adv.
Mr. K. Radha Rao, Adv.
Mr. Praveen Agrawal, Adv.
Dr. V.P. Appan, Adv.
Mr. S. Ramesh, Adv.

Mr. S.L. Gupta, Adv.
Mr. S.S. Gupta, Adv.
Mr. Vikas Chandra, Adv.
Ms. Shalu Sharma, Adv.

Mr. Pramod Dayal, Adv.

Mr. Prasenjit Keswani, Adv.
Mr. Gaurav Agrawal, Adv.

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

The Special Leave Petitions and Civil Appeals are dismissed in terms of signed order.

(Neeta)
SR. P.A.

(Usha Sharma)
COURT MASTER

(Signed order is placed on the file)
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

Special Leave Petition Civil) No(s).12231/2006

HINDUSTAN PETROLEUM CORPN. LTD. ... Petitioner(s)

VERSUS

M/S. SHREYA ENTERPRISES & ORS. ... Respondent(s)

WITH

Civil Appeal NO. 5929 of 2006, SLP(C) NO. 6888 of 2007, Civil Appeal NO. 772 of 2007

O R D E R

Heard learned counsel appearing on behalf of Hindustan Petroleum Corporation Limited and the dealer M/s Shreya Enterprises, petitioner in SLP(C) No. 6888 of 2007, M/s Pelican Gas Agency, appellant in C.A. No. 772 of 2007 and other respondents. Taking into consideration the smallness of the amount of compensation awarded by the State Commission / National Commission, we are not inclined to interfere with the impugned judgment(s). SLP(C) No. 12231 of 2006, SLP(C) No. 6888 of 2007, C.A. No. 5929 of 2006 and C.A. No. 772 of 2007 are dismissed keeping the question as raised by the Hindustan Petroleum Corporation open for determination in some other case.

The Hindustan Petroleum Corporation Limited will pay the amount to the concerned respondent within eight weeks, if not paid and recover the proportionate amount from the dealers in terms of the award passed by the State Commission / National Commission.

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The order passed by this Court shall also not stand in the way of Hindustan Petroleum Limited to take appropriate steps against the concerned dealer, if any lapses or failure on their part.

.....J.
(SUDHANSU JYOTI MUKHOPADHAYA)

.....J.
(RANJAN GOGOI)

NEW DELHI;
SEPTEMBER 13, 2013