

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO(S). 6642/2013

NATIONAL INSURANCE CO.LTD.

APPELLANT(S)

VERSUS

M/S. ARMAAN FISHERIES

RESPONDENT(S)

O R D E R

1. This appeal arises against the order dated 19.02.2013 passed by the National Consumer Disputes Redressal Commission, New Delhi (hereinafter called "the National Commission") in First Appeal No.307 of 2008.

2. Heard Mr.Yogesh Malhotra, learned counsel for the appellant and Mr. Gautam Kumar Laha, learned counsel for the respondent.

3. Having considered the matter in detail and taking into account the concurrent findings of fact by the State Consumer Disputes Redressal Commission (hereinafter called "the State Commission") as well as the National Commission, we are of the opinion that the National Commission has not committed any error in its conclusion.

4. Though, we have disposed of the present appeal on the basis of concurrent finding of fact which we have considered to be correct, the questions of law raised by Mr. Yogesh Malhotra as formulated in Page 16 and 17 of the appeal are kept open for being considered in an appropriate case.

5. While disposing of the appeal, we direct that the appellant may withdraw the amount deposited by it before the State/National Commission and make the necessary payment to the

respondent as per the judgment of the National Commission within a period of one month from today. While making the payment, the appellant will be entitled to adjust the amount that has already been paid to the respondent.

6. Pending application(s), if any, shall stand disposed of.

.....J.
[PAMIDIGHANTAM SRI NARASIMHA]

.....J.
[PANKAJ MITHAL]

New Delhi;
September 12, 2024.

ITEM NO.107

COURT NO.14

SECTION XVII-A

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

Civil Appeal No(s). 6642/2013

NATIONAL INSURANCE CO.LTD.

APPELLANT(S)

VERSUS

M/S. ARMAAN FISHERIES

RESPONDENT(S)

Date : 12-09-2024 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE PAMIDIGHANTAM SRI NARASIMHA
HON'BLE MR. JUSTICE PANKAJ MITHALFor Appellant(s) Mr. Yogesh Malhotra, Adv.
Mr. Gaurav Sharma, AORFor Respondent(s) Mr. Gautam Kumar Laha, Adv.
Mr. Atul Kumar, Adv.
Mr. Chandan Kumar, Adv.
Mr. Rohit Dhamija, Adv.
Mr. Rishabh Sharma, Adv.
Mr. Siddharth Rajkumar Murarka, Adv.
Mr. Praveen Agrawal, AORUPON hearing the counsel the Court made the following
O R D E R

The present appeal is disposed of in terms of the signed order, which is placed on the file.

Pending application(s), if any, shall stand disposed of.

(NIRMALA NEGI)
COURT MASTER (SH)(NIDHI WASON)
COURT MASTER (NSH)