

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.7332 OF 2004

SHIV KANT DIXIT

.....APPELLANT

VERSUS

APOLLO HOSPITAL & ORS.

.....RESPONDENTS

O R D E R

The application for bringing other legal heirs of deceased Shiv Kant Dixit is allowed.

This appeal is directed against order dated 30.08.2004 passed by the National Consumer Disputes Redressal Commission (for short, 'the National Commission') vide which the original petition filed by the appellant, who was then serving as Executive Engineer in U.P.Electricity Board, under Section 21 of the Consumer Protection Act, 1986 for award of compensation by alleging that the doctors who performed triple vessel bypass surgery on 19.05.1993 and the establishment of the respondents were negligent and as a result of that, he suffered from Hypoxic Encephalopathy.

Arguments in this case were heard on 28.04.2011 and the matter was adjourned to enable learned counsel for the parties to seek instructions from their respective clients.

Today, Shri P.S.Narsimha, learned senior counsel appearing for the respondents stated that de hors the finding recorded in the impugned order, his clients are willing to pay a

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sum of Rs.10 lakhs to the appellant.

Shri Pramod Swarup, learned senior counsel appearing for the appellant gave out that his client will be satisfied if the amount indicated by the respondents' counsel is paid to him.

In view of the above, the appeal is disposed of with the direction that the respondents shall pay Rs.10 lakhs to the appellant within a period of six weeks.

.....J.
(G.S.SINGHVI)

.....J.
(ASOK KUMAR GANGULY)

NEW DELHI;
SEPTEMBER 8, 2011.

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ITEM NO.301

IN CHAMBERS

SECTION XVII

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(s). 7332 OF 2004

SHIV KANT DIXIT

Appellant (s)

VERSUS

APOLLO HOSPITAL & ORS.

Respondent(s)

(With appln(s) for substitution of L.Rs of the deceased respondent)

Date: 08/09/2011 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI
HON'BLE MR. JUSTICE ASOK KUMAR GANGULY

For Appellant(s) Mr.Pramod Swarup, Sr.Adv.
Ms.Pareena Swarup, Adv.
Mr. Praveen Swarup,Adv.

For Respondent(s) Mr.P.S.Narsimha, Sr.Adv.
Mr.K.Maruthi Rao, Adv.
Mrs. Anjani Aiyagari,Adv.

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

The application for bringing other legal heirs of
deceased Shiv Kant Dixit is allowed.

The appeal is disposed of with the direction that the
respondents shall pay Rs.10 lakhs to the appellant within a period
of six weeks.

(Satish K.Yadav)
Court Master

(Phoolan Wati Arora)
Court Master

(Signed order is placed on the file)