

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

Special Leave to Appeal (Civil) No(s).15931/2007

(From the judgement and order dated 23/01/2007 in RP No. 480/2006 of The NATIONAL CONSUMERS DISPUTES REDRESSAL COMMISSION, NEW DELHI)

P.S.ABDUL KHADER Petitioner(s)

VERSUS

TAMIL NADU HOUSING BOARD & ORS. Respondent(s)

(With prayer for interim relief and office report)

Date: 17/09/2010 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.V. RAVEENDRAN
HON'BLE MR. JUSTICE H.L. GOKHALE

For Petitioner(s) Mr V.Balaji,Adv.
Mr.Pravesh T.Adv.
Mr. Narendra Kumar,Adv.
Mr.B.K. Gupta,Adv.
Mr.Joy Basu,Adv.

For Respondent(s) Mr. T.Harish Kumar,Adv.
Mr.P.Prasanth,Adv.
Mr.V.Vasudevan,Adv.
Mr. S. Thananjayan,Adv.
Mr. Avijit Bhattacharjee ,Adv

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

Leave granted.

The appeal is disposed of in terms of the Signed order.

(Shivraj Kaur) (M.S. Negi)
PS to Addl.Regr.) (Court Master)
(Signed Order is placed on the file)

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION
CIVIL APPEAL NO...../2010
(arising out of SLP(Civil) No.15931/2007)

P.S. Abdul KhaderAppellant
versus

Tamil Nadu Housing Board & Ors.Respondent

O R D E R

Leave granted.

As far as the merits of the matter is concerned by Order dated 7.8.2009, we have set aside the impugned order dated 23.1.2007 and requested the Commission to hear the matter at the Principal

Bench at New Delhi. The said order is confirmed.

As far as the procedure to be adopted by the National Commission in regard to listing of matters before Circuit Benches, the National Commission has suggested the following uniform practice to facilitate consumers and to ensure that no consumer is inconvenienced due to the holding of any Circuit Bench proceeding:-

- i) At the time of filing of a case, an option will be given to the party as to whether the party is interested in having the matter listed before a Circuit Bench if a Circuit Bench is held in close proximity to the place where the party resides.
- ii) The notices earmarking cases for hearing before the Circuit Bench would be issued to the parties and their respective Counsels 30 days in advance to give enough time to the parties.
- iii) The notice mentioned above in (ii) will give an option to the parties and their Counsels that if any of the parties is not interested in the matter being heard by the Circuit Bench then the same be immediately communicated by return post/mail to the

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National Commission so that the matter may be deleted from the list of cases of the Circuit Bench.

iv) If any party is not represented before the Circuit Bench, the Bench will straightaway adjourn the proceedings and the matter will be taken up by the National Commission at its Principal Bench at Delhi.

v) Parties and their respective Counsels will be at liberty to circulate letters expressing their inability to attend the Circuit Bench proceedings which event the matter will be taken up by the National Commission at its Principal Bench at Delhi.

vi) During Circuit Bench sittings, fresh cases also get registered and listed for hearing before the Circuit Bench.

vii) The Consumer can get an early hearing at the Circuit Bench as otherwise the matter will come on its turn before the Principal Bench at New Delhi.

viii) The Bench of the National Commission at Delhi will function concurrently at the time when the Circuit Bench is holding Court in some other part of the country.

We find that the National Commission has taken note of the

hardships of Consumers and has evolved a solution. Accepting the

proposed practice, this matter is closed. We make it clear that the

National Commission is at liberty to alter the above procedure, as

and when it feels necessary, without further reference to this Court.

.....J.
(R.V.RAVEENDRAN)

NEW DELHI
17.09.2010

.....J
(H.L. GOKHALE)