

ITEM NO.18

COURT NO.8

SECTION XVII

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). 4276/2009

LEIF HOEGH &amp; CO.

Appellant(s)

VERSUS

SHAKUMBHRI EXPORTS & ORS.  
(Office Report for directions)

Respondent(s)

Date : 29/04/2015 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE N.V. RAMANA  
[IN CHAMBER]

For Appellant(s)

For Respondent(s)

The Court made the following  
O R D E R

Office report for directions dated 5<sup>th</sup> February, 2015 indicates that a sum of Rs.50,000/- (Rupees fifty thousand) deposited by the appellant in terms of the proviso to Section 23 of the Consumer Protection Act has been put in Suitor's fund Account pursuant to the practice directions of the Hon'ble the Chief Justice of India and the amount in the said account does not bear any interest.

Proviso to Section 23 of the Consumer Protection act reads as under:

"Provided further that no appeal by a person who is required to pay any amount in terms of an order of the National Commission shall be entertained by the Supreme Court unless that person has deposited in the prescribed manner fifty per cent of that amount or rupees fifty thousand, whichever is less."

Rule 7 of Order XXIV of the Supreme Court Rules, 2013 reads as under:

"7. If the appeal is allowed by the Court the amount deposited by the appellant would be refunded to him without interest but if it is dismissed, the same will be allowed to be withdrawn by the respondent or may be disbursed as per the direction of the Court in that behalf."

In the present case, today when the matter is called out there is no representation on either side.

The appeal was dismissed as withdrawn on 21<sup>st</sup> January, 2011. Counsel for the appellant has expired and no letter/application regarding whose favour the Demand Draft/Pay Order is to be prepared for withdrawal of amount of Rs.50,000/- (Rupees Fifty Thousand) has been filed till date by any of the parties.

In view of the above, amount of Rs.50,000/- (Rupees fifty thousand) be deposited with the Supreme Court Employees' Mutual Welfare Fund.

(MADHU BALA)  
COURT MASTER

(ASHA SONI)  
COURT MASTER