

>ITEM NO.37

COURT NO.6

SECTION XVII

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).28244/2009

(From the judgement and order dated 02/07/2009 in RP No. 1911/2009
of The NATIONAL CONSUMERS DISPUTES REDRESSAL COMMISSION, NEW DELHI)

DIVISIONAL MGR.NATIONAL INS.CO.LTD.&ANR. Petitioner(s)

VERSUS

AMRESH SAHA Respondent(s)

(With prayer for interim relief and office report)

Date: 24/09/2010 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MARKANDEY KATJU
HON'BLE MR. JUSTICE T.S. THAKUR

For Petitioner(s) Ms.Meenakshi Midha, Adv.for
Mr. Avijit Bhattacharjee,Adv.

For Respondent(s) Mr. Bijan Kumar Ghosh,Adv.
Mr. Surajit Samanta, Adv.
Mr.S.K.Poddar, Adv.

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

Leave granted.

The Appeal is allowed in terms of the signed order.
No costs.

(Parveen Kr. Chawla) (Indu Satija)
Court Master Court Master
[signed order is placed on the file]
IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. OF 2010
(Appeal arising from SLP(C) No.28244/2009)

Divisional Manager,
National Insurance Co. Ltd. & Anr. ..Appellants

versus

Amresh Saha ..Respondent

O R D E R

Leave granted.

Heard learned counsel for the parties.

This Appeal has been filed against the impugned judgment and order dated 02nd July, 2009 passed by the National Consumer Disputes Redressal Commission, New Delhi in Revision Petition No. 1911 of 2009.

By the impugned order, the National Commission has dismissed the revision petition on the ground of delay of 80 days, which, in our opinion, should have been condoned and the revision petition should have been decided on merits.

Accordingly, we allow this appeal, set aside the impugned order of the National Commission, condone the delay of 80 days in filing the revision petition and remand the matter to the National Commission for deciding the revision petition on merits in accordance with law, expeditiously. No costs.

.....J.
[MARKANDEY KATJU]

NEW DELHI;J.
SEPTEMBER 24, 2010 [T.S. THAKUR]