

ITEM NO.13

COURT NO.13

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 Diary No(s). 46867/2024

[Arising out of impugned final judgment and order dated 16-08-2024 in CC No. 339/2015 passed by the National Consumers Disputes Redressal Commission, New Delhi]

UNITED INDIA INSURANCE CO. LTD.

Petitioner(s)

VERSUS

INTERNATIONAL AIR TRANSPORT ASSOCIATION (IATA)

Respondent(s)

(FOR ADMISSION and IA No.255610/2024-STAY APPLICATION and IA No.255608/2024-CONDONATION OF DELAY IN FILING APPEAL )

WITH

Diary No(s). 46945/2024 (XVII)

(FOR ADMISSION and IA No.267074/2024-STAY APPLICATION and IA No.267075/2024-CONDONATION OF DELAY IN FILING APPEAL and IA No.267076/2024-CONDONATION OF DELAY IN REILING / CURING THE DEFECTS)

Diary No(s). 46941/2024 (XVII-A)

(FOR ADMISSION and IA No.252817/2024-STAY APPLICATION and IA No.252814/2024-CONDONATION OF DELAY IN FILING APPEAL)

Diary No(s). 46939/2024 (XVII-A)

( IA No.250537/2024-CONDONATION OF DELAY IN FILING and IA No.250535/2024-STAY APPLICATION)

Diary No(s). 46944/2024 (XVII-A)

(FOR ADMISSION and I.R. and IA No.277504/2024-CONDONATION OF DELAY IN FILING and IA No.277503/2024-STAY APPLICATION and IA No.277505/2024-CONDONATION OF DELAY IN REILING / CURING THE DEFECTS)

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

CORAM : HON'BLE MR. JUSTICE PAMIDIGHANTAM SRI NARASIMHA  
HON'BLE MR. JUSTICE MANOJ MISRA

For Petitioner(s) Dr. Abhishek Manu Singhvi, Sr. Adv.  
Mr. Neeraj Kishan Kaul, Sr. Adv.  
Mr. Amit Kumar Singh, AOR  
Ms. K Enatoli Sema, Adv.  
Ms. Chubalemla Chang, Adv.  
Mr. Prang Newmai, Adv.

For Respondent(s) Mr. Mohinder Jit Singh, AOR  
Mr. Vijay, Adv.  
Mr. Prashant Mehta, Adv.  
Mr. Dhruv Chawla, Adv.

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

1. The order impugned has been passed by learned Single Member of the National Commission Disputes Redressal Commission. The legality and propriety of such decision making was considered by three Judge Bench in Civil Appeal No. 3743 of 2023 in *The New India Assurance Co. Ltd. Vs. M/S Aczet Private Limited (EARLIER Known As M/S Citizen Scale (INDIA) Private Limited)*. The relevant portion of the order is as under:

"1. One of the issue of seminal importance raised on behalf of the appellant is whether the composition of two-member Bench of a Tribunal like the National Consumer Disputes Redressal Commission ('NCDRC') must include a Judicial Member, who should also be the Presiding Member of the Bench. Since the determination of the issue is likely to have its impact on the composition of various Tribunals constituted under the different statutes, we request the learned Attorney General for India, duly assisted by one of the Additional Solicitor General, to assist the Court on the next date of hearing."

2. In view of the above, let these appeals be posted along with C.A. No. 3743 of 2023.

(KAPIL TANDON)  
COURT MASTER (SH)

(NIDHI WASON)  
COURT MASTER (NSH)