

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 9115 OF 2019
(Arising out of SLP (C) No. 19904 of 2019)

THE ORIENTAL INSURANCE COMPANY LIMITED

Petitioner(s)

VERSUS

M/S HIND METALS AND INDUSTRIES P LTD

Respondent(s)

O R D E R

Leave granted.

By the impugned judgment, the National Consumer Disputes Redressal Commission (for short, 'the National Commission') has not condoned delay of 164 days in filing the appeal by the Insurance Company.

Of course, the discretion is vested with the National Commission to consider the application for condonation of delay on its own merits, but having regard to the totality of the facts and circumstances of the case and the amount involved, we deem it proper to condone the delay of 164 days in filing the appeal before the National Commission. Ordered accordingly.

The appeal is allowed. The National Commission is directed to hear the appeal on merits.

This order would be subject to payment of costs of Rs.50,000/- (Rupees fifty thousand only) by the Insurance Company to the

respondent within six weeks from today.

Defects in the Vakalatnama be cured within four weeks from today.

The National Commission is requested to expedite the appeal.

....., J.
(Mohan M. Shantanagoudar)

....., J.
(R. Subhash Reddy)

New Delhi;
November 29, 2019.

ITEM NO.45

COURT NO.12

SECTION XVII-A

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 (C) No(s). 19904/2019
(Arising out of impugned final judgment and order dated 05-04-2019
in FA No. 1196/2018 passed by the National Consumers Disputes
Redressal Commission, New Delhi)

THE ORIENTAL INSURANCE COMPANY LIMITED

Petitioner(s)

VERSUS

M/S HIND METALS AND INDUSTRIES P LTD

Respondent(s)

(IA No. 117525/2019 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT)

Date : 29-11-2019 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE MOHAN M. SHANTANAGOUDAR
HON'BLE MR. JUSTICE R. SUBHASH REDDY

For Petitioner(s) Mr. Amandeep Singh, Adv.
Mr. Avinash Sharma, AOR
Mr. Udhey Vir Singh, Adv.

For Respondent(s)

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

Leave granted.

The appeal is allowed in terms of the signed order.

This order would be subject to payment of costs of Rs.50,000/-
(Rupees fifty thousand only) by the Insurance Company to the
respondent within six weeks from today.

Defects in the Vakalatnama be cured within four weeks from
today.

The National Commission is requested to expedite the appeal.

(GULSHAN KUMAR ARORA)
COURT MASTER

(R.S. NARAYANAN)
COURT MASTER

(Signed order is placed on the file)