

ITEM NO.17

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

SPECIAL LEAVE PETITION (CIVIL) Diary No.21745/2019

(Arising out of impugned final judgment and order dated 31-01-2019 in RP No.3368/2018 passed by the National Consumers Disputes Redressal Commission, New Delhi)

MINISTRY OF WATER RESOURCES & ORS.

Petitioner(s)

VERSUS

SHREEPAT RAO KAMDE

Respondent(s)

(FOR ADMISSION and I.R.; and, IA No.102353/2019-CONDONATION OF DELAY IN FILING)

Date : 22-07-2019 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE UDAY UMESH LALIT
HON'BLE MR. JUSTICE VINEET SARAN

For Petitioner(s) Ms. Mahdavi Divan, ASG
 Mr. W.A. Qadri, Sr. Adv.
 Mr. P.V. Yogeswaran, Adv.
 Mr. Amit Sharma, Adv.
 Mr. Amit Sharma, Adv.
 Mr. Durga Dutt, Adv.
 Ms. Rashmi Malhotra, Adv.
 Mr. Arvind Kumar Sharma, AOR

For Respondent(s)

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

The basic issue involved in the present case is whether a complaint under the Consumer Protection Act, 1986 would lie at the instance of a Government servant claiming interest on delayed payment of GPF and other retiral benefits.

The Consumer Disputes Redressal Forum-VI (District New Delhi) allowed the claim and directed that the amount of Rs.63,750/- towards interest for the delayed payment was due to the original complainant. The District Forum awarded a total compensation of Rs.90,000/- inclusive of the basic claim.

The appeal preferred against the decision of the District Forum was dismissed by the Delhi State Consumer Disputes Redressal Commission and the revision therefrom was also dismissed by the National Consumer Disputes Redressal Commission on the ground of delay.

Considering the amount involved in the matter, we direct the petitioner(s) to deposit a sum of Rs.90,000/- within two weeks from today before the District Forum. The respondent shall be entitled to withdraw the same upon furnishing sufficient security, which could be other than cash and bank guarantee, to the satisfaction of the District Forum.

Subject to the petitioner(s) depositing the above sum, let notice be issued in the matter to consider the question of law raised by the petitioner.

Let notice be made returnable on 30.08.2019.

(MUKESH NASA)
COURT MASTER

(SUMAN JAIN)
BRANCH OFFICER