

ITEM NO.20

COURT NO.11

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(s). 33307/2017

(Arising out of impugned final judgment and order dated 02-02-2017 in RP No. 3410/2013 RP No. 3409/2013 passed by the National Consumers Disputes Redressal Commission, New Delhi)

RAMAN CHANDRAKANT GOVITRIKAR & ANR.

Petitioner(s)

VERSUS

UNITED INDIA INSURANCE CO.LTD. & ORS.

Respondent(s)

(IA No.122109/2017-CONDONATION OF DELAY IN FILING and IA.No.122115/2017-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.122116/2017-EXEMPTION FROM FILING O.T.)

Date : 24-11-2017 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ADARSH KUMAR GOEL

HON'BLE MR. JUSTICE UDAY UMESH LALIT

For Petitioner(s) Mr. Somanatha Padhan, AOR
Mr. Ashok Anand, Adv.
Mr. Rakesh Kumar Singh, Adv.
Mr. Bipin Bihari Singh, Adv.
MR. Rajesh Kumar, Adv.

For Respondent(s)

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

Heard.

Delay condoned.

We find that the State Commission has passed a speaking order which is clear from para 14 onwards in the order. In these circumstances, the observations by the National Commission, in the impugned order, that the order of the State Commission was not speaking order and was required to be set aside on that ground are uncalled for.

Accordingly, we set aside the impugned order and remand the matter to the National Commission for fresh decision on merits in accordance with law.

The petitioners are directed to appear before the National Commission for further proceedings on 19th January, 2018. They will serve a copy of this order on the respondents.

Since this order is being passed ex-parte, the respondents will be at liberty to move this Court, if aggrieved.

The special leave petitions are, accordingly, disposed of.

Pending application(s), if any, shall also stand disposed of.

(MADHU BALA)
COURT MASTER (SH)

(PARVEEN KUMARI PASRICHA)
BRANCH OFFICER