

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.4338/2017

SOCIETY FOR CONSUMERS AND INVESTORS
PROTECTION (SCIP) AND ORS.

Appellant(s)

VERSUS

HARYANA STATE INDUSTRIAL AND INFRASTRUCTURE
DEVELOPMENT CORPORATION LTD.

Respondent(s)

O R D E R

1. The present appeal arises out of the decision of the National Consumer Dispute Redressal Commission¹ in Consumer Complaint No.145 of 2012 dated 26.07.2016 by which the appellants' original complaint has been dismissed on the ground of maintainability.

2. Learned Counsel appearing for the appellants has brought to our notice the decision of this Court in *National Insurance Company Ltd. vs. Harsolia Motors & Ors.*² referring to the definition of "Consumer" under Section 2(1)(d) of the Consumer Protection Act, 1986 and laying down the necessary principles for determination of invocation of the jurisdiction of the Consumer Court.

3. In view of this decision, we allow the appeal, set aside

1 "National Commission"

2. [2023] 3 S.C.R. 448

the order passed by the National Commission and restore the original complaint to its original number and direct the National Commission to dispose of the matter. Needless to say that the parties are entitled to make their submissions on the basis of the decisions of this Court and on the interpretation of the relevant provisions of the Act. The National Commission shall consider the matter on maintainability as well as on the merits of the matter, if need be, and dispose of the case as expeditiously as possible.

4. The civil appeal is disposed of.

.....J.
[PAMIDIGHANTAM SRI NARASIMHA]

.....J.
[MANOJ MISRA]

New Delhi
November 20, 2024.

Revised for appearance*

ITEM NO.14

COURT NO.13

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

Civil Appeal No(s). 4338/2017

SOCIETY FOR CONSUMERS AND INVESTORS PROTECTION (SCIP)
& ORS.

Appellant(s)

VERSUS

HARYANA STATE INDUSTRIAL AND INFRASTRUCTURE
DEVELOPMENT CORPORATION LTD.

Respondent(s)

Date : 20-11-2024 This appeal was called on for hearing today.

CORAM :

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

For Appellant(s) Mr. Raghvendra S Srivatsa, Sr. Adv.
 Mr. Venkita Subramoniam Tr, Adv.
 Mr. Ritesh Saxena, Adv.
 Ms. Megha Sharma, Adv.
 Mr. Pratap Shanker, Adv.
 Mr. Swetank Shantanu, AOR

For Respondent(s) Mr. Alok Sangwan, Sr. AAG*
 Mr. Sumit Kumar sharma, Adv.
 Mr. Rajat Sangwan, Adv.
 Mr. Akshay Amritanshu, AOR

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

1. The civil appeal is disposed of.
2. Pending application(s), if any, shall stand disposed of.

(INDU MARWAH)
AR-cum-PS

(NIDHI WASON)
COURT MASTER (NSH)

(Signed order is placed on the file)