

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) Nos. 3422-3423/2021

(Arising out of impugned final judgment and order dated 28-08-2020 in FA No. 1044/2017 28-08-2020 in FA No. 1266/2017 passed by the National Consumers Disputes Redressal Commission, New Delhi)

KUSAM KUMAR

Petitioner(s)

VERSUS

JALANDHAR IMPROVEMENT TRUST & ANR.

Respondent(s)

WITH

Diary No(s). 12959/2020 (XVII-A)
(IA No. 88878/2020 - CONDONATION OF DELAY IN FILING)

SLP(C) No. 3408-3409/2021 (XVII-A)

SLP(C) No. 3419-3420/2021 (XVII-A)
(FOR ADMISSION)

SLP(C) No. 4412-4413/2021 (XVII-A)
(FOR ADMISSION)

SLP(C) No. 10845/2021 (XVII-A)
(IA No. 82192/2021 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No. 82193/2021 - EXEMPTION FROM FILING O.T.)

SLP(C) No. 12029/2021 (XVII-A)
(IA No. 93259/2021 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

SLP(C) No. 10886/2021 (XVII-A)
(IA No. 82531/2021 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Date : 25-07-2023 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J.K. MAHESHWARI
HON'BLE MR. JUSTICE K.V. VISWANATHAN

For Petitioner(s)

Mr. Ajay Bansal, Adv.
Mr. Kuldip Singh, AOR
Mr. Gaurav Yadav, Adv.
Ms. Veena Bansal, Adv.

Mr. Anant Vijay Palli, Adv.
Mr. Nikhil Palli, Adv.
Mr. Deepak Goel, AOR

Ms. Aanchal Jain, AOR
Mr. Karan Dewan, Adv.

For Respondent(s)

Mr. R.K. Rathore, Adv.
Mr. S Sunil, Adv.
Mr. Sunny Sachin Rawat, Adv.
Mr. Sudarshan Singh Rawat, AOR

Mr. Kuldip Singh, AOR

Mr. Neeraj Sharma, Adv.
Mr. Jugul Kishor Gupta, Adv.
Ms. Sarika Verma, Adv.
Mr. Shahbaaz Jameel, Adv.
Mr. Ashish Chaubey, Adv.
Mr. Kausar Raza Faridi, AOR

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

The only question arise in the batch of cases is whether the interest on the refund of amount on different dates would be leviabale from the date of deposit or as directed by the National Consumers Disputes Redressal Commission (hereinafter referred to as 'NCDRC' for brevity) by the impugned order.

Shri Anant Vijay Palli, learned counsel, contends that in other cases in which refund is directed by NCDRC with interest at the rate of 9 per cent, but from different dates of deposits even against Jalandhar Improvement Trust. However, in the case of petitioner, the order passed by the State Consumer Disputes Redressal Commission (hereinafter referred to as 'SCDRC' for brevity) directing refund from the

date of filing of the application affirmed by NCDRC is discriminatory with other similarly situated cases of other persons.

It is also contended that the appeals filed by the Jalandhar Improvement Trust have been withdrawn as appeared from office report dated 16.04.2022 in SLP (C)D. No. 12959/2020.

Learned counsel for the respondent-Jalandhar Improvement Trust prays for time to seek instructions in the matter.

In the meantime, Shri Anant Vijay Palli, learned counsel for the petitioner, shall prepare a chart of the similar cases and file the same along with an affidavit.

Needful be done within two weeks.

Re-list after two weeks.

(NIDHI AHUJA)
AR-cum-PS

(VIRENDER SINGH)
BRANCH OFFICER