

ITEM NO.1

VIRTUAL COURT NO.1

SECTION XVII-A

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

Petition for Special Leave to Appeal (C) No.5794/2020

(Arising out of impugned final judgment and order dated 18-11-2019 in RP No.2233/2016 passed by the National Consumers Disputes Redressal Commission, New Delhi)

M/s. DOMINANT BUSINESS GROUP

Petitioner(s)

VERSUS

A.K. BANSAL &amp; CO.

Respondent(s)

(FOR ADMISSION; and, IA No.26350/2020 - FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Date : 26-05-2020 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE UDAY UMESH LALIT  
HON'BLE MR. JUSTICE MOHAN M. SHANTANAGOUDAR  
HON'BLE MR. JUSTICE VINEET SARAN

For Petitioner(s) Mr. Soumya Roop Sanyal, Adv.  
Mr. Subhro Sanyal, AOR

For Respondent(s)

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

Learned counsel for the petitioner submitted that though under the orders passed by the District Forum as affirmed by the State Commission as well as by the National Commission, the relief of refund of amount of Rs.4,10,000/- being price of the machine along with the litigation expenses and compensation was awarded in favour of the respondent, the submission advanced on behalf of the petitioner that the machine be returned to the petitioner was rejected.

He further submitted that if the value of the machine is to be refunded along with the compensation and interest component, the machine itself ought to be returned to the petitioner.

We accept the submission.

However, considering the fact that the matter has taken considerably a long period and in order not to drag the respondent, we dispose of this petition without issuing notice to the respondent.

Learned counsel also submitted that in terms of the order passed by the District Forum, Chandigarh, a sum of Rs.4,77,350/- was deposited with the District Forum, Chandigarh and that the petitioner would deposit the remainder sum with the District Forum within six weeks along with interest as awarded.

Upon deposit of the remainder sum, the respondent shall deliver the concerned machine to the petitioner and only thereafter the respondent shall be permitted to withdraw the sum so deposited.

In case the respondent is aggrieved by the direction aforesaid, the respondent will be at liberty to file an appropriate application seeking modification of this order.

With the aforesaid observations, this petition stands disposed of.

(MUKESH NASA)  
COURT MASTER

(PRADEEP KUMAR)  
BRANCH OFFICER