

**IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION**

Civil Appeal No 685 of 2021

M/s L M Jewellers

Appellant

Versus

**The Oriental Insurance Company
Limited Through Its Manager and Another**

Respondents

ORDER

- 1 The National Consumer Disputes Redressal Commission has justifiably held that the nature of the claim of the appellant for the loss of jewelry would require to be established on the basis of evidence, both documentary and oral, at the trial of a civil suit and could not have been decided in the course of the summary proceedings under the Consumer Protection Act 1986. The appellant has been granted liberty to file a suit before the competent forum, in which event the time which was spent before the NCDRC *bona fide* pursuing the consumer complaint would have to be suitably excluded.
- 2 We find no merit in the appeal, but in terms of the order of the NCDRC, grant liberty to the appellant to pursue appropriate proceedings in accordance with law.
- 3 The Civil Appeal is dismissed.
- 4 Pending applications, if any, stand disposed of.

.....J.
[Dr Dhananjaya Y Chandrachud]

.....J.
[M R Shah]

New Delhi;
March 2, 2021
CKB

ITEM NO.5

Court 6 (Video Conferencing)

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

Civil Appeal No.685/2021

M/S L.M. JEWELLERS

Appellant(s)

VERSUS

THE ORIENTAL INSURANCE COMPANY LIMITED
THROUGH ITS MANAGER & ANR.

Respondent(s)

Date : 02-03-2021 This appeal was called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD
HON'BLE MR. JUSTICE M.R. SHAH

For Appellant(s) Mr. Nikhil Jain, AOR
Mr. Satya Prakash, Adv.

For Respondent(s)

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

- 1 The Civil Appeal is dismissed in terms of the signed order.
- 2 Pending applications, if any, stand disposed of.

(CHETAN KUMAR)
A.R. -cum-P.S.

(SAROJ KUMARI GAUR)
Court Master

(Signed order is placed on the file)