

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.2902 OF 2018

(Arising out of SLP(Civil) No. 6063 of 2018)

BAKUL MURLIDHARF ROONGTA & ANR. .. APPELLANT(S)

Versus

M/S LEELA ASSOCIATES NOW KNOWN AS .. RESPONDENT(S)
VORA ASSOCIATES & ORS.

O R D E R

Leave granted.

No notice is required to be served on the respondents as the Revision Petition has been dismissed, at the threshold, without issuing notice to the respondents.

The impugned order passed by the National Consumer Disputes Reddressal Commission, New Delhi dated 15th February, 2018 is predicated on the sole reasoning that no Execution Petition has been filed qua the State Commission's order dated 23rd January, 2018 and thus the Revision Petition filed is premature.

We fail to appreciate as to how the limited grievance that the appellants still have with the impugned order of the State Commission cannot be entertained merely because the Execution Petition has not been filed. It is always open to the Commission to take a view for or against the plea sought to be advanced on

behalf of the appellants and its adjudication would not require the Execution Petition to be first filed.

Consequently, we set aside the impugned order and remit the matter back to the National Consumer Disputes Reddressal Commission for adjudication of the Revision Petition No.475 of 2018 on merits either way.

The appeal is allowed accordingly. The parties to bear their own costs.

.....J.
[J. CHELAMESWAR]

.....J.
[SANJAY KISHAN KAUL]

NEW DELHI,
MARCH 16, 2018.

ITEM NO.27

COURT NO.2

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

Petition(s) for Special Leave to Appeal (C) No(s). 6063/2018

(Arising out of impugned final judgment and order dated 15-02-2018 in RP No. 475/2018 passed by the National Consumers Disputes Redressal Commission, New Delhi)

BAKUL MURLIDHARF ROONGTA & ANR.

Petitioner(s)

VERSUS

M/S LEELA ASSOCIATES NOW KNOWN AS VORA ASSOCIATES & ORS.

Respondent(s)

(FOR ADMISSION and I.R.)

Date : 16-03-2018 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J. CHELAMESWAR
HON'BLE MR. JUSTICE SANJAY KISHAN KAUL

For Petitioner(s) Mr. Jayant Bhushan, Sr.Adv.
 Mr. Yogesh P., Adv.
 Mr. Saswat Pattnaik, Adv.
 Mr. Ketan P., Adv.
 Mr. Tushar Bhushan, Adv.
 Mr. Hasan Murtaza, AOR

For Respondent(s)

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

Leave granted.

The appeal is allowed in terms of the signed order.

Pending application, if any, stands disposed of.

(USHA RANI BHARDWAJ)
AR CUM PS

(RAJINDER KAUR)
BRANCH OFFICER

Signed order is placed on the file.