

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) No(s). 13962/2017
(Arising out of impugned interim order dated 30/01/2017 in CC No.
1340/2016 passed by the National Consumers Disputes Reddressal
Commission, New Delhi)
KRRISH REALTECH PVT LTD

Petitioner(s)

VERSUS

ASHOK GOYAL AND ANR

Respondent(s)

(with interim relief and office report)

Date : 04/05/2017 This petition was called on for hearing today.

CORAM :

HON&#39;BLE MR. JUSTICE N.V. RAMANA

HON&#39;BLE MR. JUSTICE PRAFULLA C. PANT

For Petitioner(s)

Mr. Gautam Das, Adv.

Mr. Sunil Kumar Sethi, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following

O R D E R

Heard learned counsel for the petitioner.

The main controversy in this petition is pertaining to
the power of Courts to extend time for filing written
statement/reply to a complaint before Consumer Fora and there
appears to be some conflicting decisions of this Court on this
issue.

We find that in order to resolve this issue, this Court
in Civil Appeal Nos. 1083-1084 of 2016 has already referred the

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question to a five Judge Bench for an authoritative judgment,
which is pending.

Issue notice.

Tag with Civil Appeal Nos. 1083-1084 of 2016.

The petitioner is permitted to file his reply before
the State Commission within two weeks from today, subject to
payment of Rs.50,000/- (rupees fifty thousand only) as costs to
be paid to the opposite party. The Commission can, upon deposit
of costs, proceed with the trial of the complaint on merits after
receiving the reply filed by the respondents. The pendency of
present proceedings shall not be an impediment for the Commission
to do so. This, however, is subject to the condition that
complainant-respondents are ready and willing to take the
proceedings forward on the conditions aforementioned. In case
the complainant-respondents have any objection to the continuance
of the proceedings before the Commission, they shall be free to
seek stay of such proceedings, pending disposal of these
appeals/petitions, in which event the proceedings shall remain
stayed till disposal of the present appeals/petitions.

[SUKHBIR PAUL KAUR]

[S.S.R.KRISHNA]

A.R.-CUM-P.S.

ASSISTANT REGISTRAR