

(2024) 11 NCDRC CK 0083

National Consumer Disputes Redressal Commission

Case No: Revision Petition No. 1999 Of 2024

Sahedul Rahman

APPELLANT

Vs

Pratap Singh Aswal

RESPONDENT

Date of Decision: Nov. 20, 2024

Hon'ble Judges: Bharatkumar Pandya, Presiding Member

Bench: Single Bench

Advocate: Vinod Pant

Final Decision: Allowed

Judgement

Bharatkumar Pandya, Presiding Member

Heard Mr. Vinod Pant, learned counsel for the petitioner.

Nobody has appeared on behalf of the respondent though service is complete.

It is noted that this Commission vide order dated 23.02.2024 remanded the matter to the State Commission upon condition of the petitioner depositing Rs.10,000/- in the Registry of the State Commission within three weeks.

It is submitted by the learned counsel for the petitioner that as can be seen from page-70 of the revision petition file, the copy of the order was received by the petitioner on 11.03.2024 and thereafter the appearance was made before the State Commission on 27.03.2024 with the cheque of Rs.10,000/-, thus, indicating that the petitioner was ready with the amount to be deposited within three weeks of the receipt of the order of this Commission. However, the State Commission has considered such readiness to be beyond three weeks of the passing of the order by this Commission and accordingly dismissed the appeal, being First Appeal No. A/16/27, on the ground of non-compliance of this Commission's order.

After considering the totality of the facts and circumstances of the case, the revision petition is allowed subject to the condition that on 06.12.2024 the petitioner shall remain present in the State Commission along with a Demand Draft of Rs.15,000/- favouring the Registrar of the State Commission which shall be accepted by the State Commission in compliance of this Commission's order dated 23.02.2024 and thereafter shall proceed to restore and consider the appeal (FA No. A/16/27) on merits in accordance with law after serving due notice to the parties.

The copy of this order shall be obtained dasti by the learned counsel for the petitioner and shall be submitted before the State Commission by way of an appropriate application before the said date (06.12.2024) to enable the State Commission to ensure compliance of this order.