

(2001) 08 NCDRC CK 0018

NATIONAL CONSUMER DISPUTES REDRESSAL COMMISSION

Case No: None

NEHA CREATIONS

APPELLANT

Vs

AMERICAN PRESIDENT LINES

RESPONDENT

Date of Decision: Aug. 2, 2001

Citation: 2002 2 CPJ 31

Hon'ble Judges: C.M.Nayar , R.L.Sudhir J.

Final Decision: Complaint dismissed

Judgement

1. THIS UTPE No. 142/2000 has been filed under Sections 36A, 36B(a), 10(a)(1), 37 and 36D of the Monopolies and Restrictive Trade Practices Act, 1969 and Regulation 51 of the Monopolies and Restrictive Trade Practices Commission Regulations, 1991. The respondent Nos. 1 and 3 have filed a reply wherein they have stated that the complainant earlier filed a UTP Enquiry which was permitted to be withdrawn by an order passed by this Commission on 19th December, 1999. The same may be reproduced as below :

"Disposed of as withdrawn at the instance of learned Advocate Mr. Chauhan for the applicant/complainant in view of the fact that the applicant/complainant has moved a compensation Restrictive Trade Practices Act, 1969 on the same subject-matter and on the same cause of action. THIS order of ours shall not come in the way of the applicant/complainant in carrying its compensation application to its logical conclusion on its own merits."

The complainant has filed this complaint again on the same cause of action. We do not find any ground to entertain this complaint. The same is dismissed. Notice of Enquiry is discharged. Complaint dismissed.