

(1997) 11 SCC 635

Supreme Court of India

Case No: Civil Appeal No. 11438 Of 1996

H.P. State Forest
Corporation Ltd.

APPELLANT

Vs

United India Insurance
Co. Ltd.

RESPONDENT

Date of Decision: March 31, 1997

Citation: (1997) 11 SCC 635

Hon'ble Judges: J. S. Verma, C.J; Sujata V. Manohar, J

Bench: Division Bench

Final Decision: Allowed

Judgement

@JUDGMENTTAG-ORDER

1. The National Consumer Disputes Redressal Commission has refused to entertain a petition filed by the appellant-Corporation on the limited

ground that more appropriate remedy is before the Civil Court since an elaborate investigation into facts is necessary for a proper adjudication.

We are unable to uphold the view taken by the National Commission in the present case.

2. The substantial defence taken by the insurer appears to be based on the terms of the insurance policy and the period of its validity. It is difficult

for us to appreciate why the controversy in the present case was considered to be so complicated that the National Commission did not consider it

appropriate to entertain the matter and adjudicate it on merits. There is no plea taken of want of jurisdiction in the National Commission. This being

so, the impugned order of the National Commission has to be set aside.

3. The appeal is allowed. The impugned order of the National Commission dated 15-2-1996 passed in Original Petition No. 95 of 1994 is set

aside. The matter is remitted to the National Commission for decision of the petition in accordance with law.