

**SUPREME COURT OF INDIA**

Anshuman Shukia

Vs.

Oriental Insurance Company Limited

C.A.No.842 of 2004

(Shivaraj V. Patil and D. M. Dharmadhikari JJ.)

06.02.2004

**JUDGMENT**

1. Leave granted.

2. In the impugned order, the National Consumer Disputes Redressal Commission has not considered the real issue that arose for consideration and the National Commission proceeded as if the subject matter related to vacating the premises, but, the real controversy is different, as is evident from the records and the contentions raised by the parties. In this view, it is appropriate that the National Commission examines the matter afresh in the light of the contentions raised. The appeal is allowed, the impugned order is set aside and the matter is remitted to the National Commission for fresh disposal in the light of what is stated above.

No costs.