

SUPREME COURT OF INDIA

Jason Links(India) Pvt.Ltd.

Vs.

State Bank of India

C.A.No.4801 of 2008

(B.N. Agrawal and G.S. Singhvi JJ.)

04.08.2008

ORDER

1. Heard learned counsel for the parties.

2. Leave granted.

3. The State Consumer Disputes Redressal Commission [for short, "the State Commission"] allowed the complaint and awarded compensation against which order both the parties filed appeals. The complainant filed First Appeal No.111 of 2006 for enhancement of compensation; whereas the respondent-Bank filed another appeal giving rise to First Appeal No.145 of 2006 challenging the order passed by the State Commission against it. Curiously enough, the National Consumer Disputes Redressal Commission [for short, "the National Commission"], instead of disposing of both the appeals, which were filed against the common order, dismissed the appeal filed by the complainant; whereas the appeal filed by the Bank has been admitted and still pending. In our view, it will be just and expedient to set aside the impugned order and remit the matter for hearing both the appeals together.

4. Accordingly, the appeal is allowed, impugned order is set aside and the appeal is remitted to the National Commission. Upon remand, the National Commission shall hear both the appeals together and decide the same after giving opportunity of hearing to both the parties.