

SUPREME COURT OF INDIA

Nandini Rastogi

Vs.

Fateh Bahadur Singh & Ors.

(2011) INSC 0441

(Dalveer Bhandari and Deepak Verma,JJ.,)

07.04.2011

ORDER

1. Delay condoned.
2. Leave granted.
3. The National Consumer Disputes Rederessal Commission, New Delhi found appellant and Kulwanti Hospital & Research Centre jointly guilty of negligence and directed a compensation of Rs.2,50,000/- to be paid to the complainant-respondent No.1, with interest at the rate of 6% per annum from the date of complaint till the date of payment.
4. The said amount was directed to be borne equally by the appellant and the said Hospital - respondent No.2 herein. We have heard the learned counsel for the parties. In the facts and circumstances of this case, we are of the considered view that the entire amount of compensation ought to be paid by the Hospital. We order accordingly.
5. The order passed by the National Commission is modified to that extent. Learned counsel appearing on behalf of the Hospital submits that 50% of the amount has already been paid by them and the remaining 50% would be paid by the Hospital to respondent No.1 Fateh Bahadur Singh, within four weeks from today.
6. The counsel for the Hospital prayed that detailed discussion be avoided since the Hospital has agreed to pay the balance amount of compensation as directed. The complainant - respondent No.1 submits that some amount has been deposited before the Uttar Pradesh State Commission for Redressal of Consumer Disputes, Lucknow.
7. We direct that the said amount shall be paid to the complainant - respondent No.1 within two weeks from today. These appeals are disposed of with the aforementioned observations and directions.