

SECTION XVII

Matter For :
Court No. :
Item No. :

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 2050 OF 2015

Research & Analysis Wing

...Petitioner

VERSUS

Rashmi Handa and Ors.

...Respondent

OFFICE REPORT FOR DIRECTIONS

It is submitted that a sum of Rs.50,000/- (Rupees Fifty Thousand Only) deposited by the appellant herein in terms of the proviso added to Section 23 of the Consumer Protection Act by the Consumer Protection (Amendment) Act, 2002 has been put in the Suitor's Funds Accounts pursuant to the practice directions of the Hon'ble Chief Justice of India and the amount in the said account does not bear any interest. Proviso to Section 23 of the Act reads as under :-

“Provided further that no appeal by a person who is required to pay any amount in terms of an order of the National Commission shall be entertained by the Supreme Court unless that person has deposited in the prescribed manner Fifty percent of that amount or rupees fifty thousand, whichever is less.”

It is also submitted that Order XXIV of Rule 7 of the Supreme Court Rules, 2013 read as under :

“if the appeal is allowed by the Court the amount deposited by the appellant would be refunded to him without interest but if it is dismissed, the same will be allowed to be withdrawn by the respondent or may be disbursed as per the direction of the Court in that behalf”.

It is further submitted that the above-mentioned appeal has been dismissed by this Court's Order dated 16.02.2015 (Copy enclosed).

It is further submitted that counsel for the appellant/respondent has not filed application for withdrawal of Sutor Fund amount in the matter above mentioned. Original paper books have been weed out after due preservation as per policy.

In view of the above, the Office report for directions above-mentioned is listed before the Hon'ble Court for further Orders.

DATED THIS THE 9th DAY OF JULY, 2015.

Copy to : Mr. B.V. Balram Das, Advocate

ASSISTANT REGISTRAR

ASSISTANT REGISTRAR

PROMOD