

(2016) 10 NCDRC CK 0068

In the National Consumer Disputes Redressal Commission

Case No : 2914 of 2016

NEW INDIA ASSURANCE COMPANY LTD.

APPELLANT

Vs

NABIUNNESASEKH & ORS.

RESPONDENT

Date of Decision : 25-10-2016

Acts Referred:

Consumer Protection Act, 1986, Section 21(b) - Jurisdiction of the National Commission

Citation : (2016) 10 NCDRC CK 0068

Hon'ble Judges : D.K. Jain, M. Shreesha

Advocate : ABHISHEK KUMAR

Final Decision : Petition Disposed

Judgement

1. This Revision Petition under Section 21(b) of the Consumer Protection Act, 1986 (for short "the Act") by the New India Assurance Company Limited, Opposite Party in the Compliant, is directed against the order dated 18.08.2016, passed by the State Consumer Disputes Redressal Commission, West Bengal at Kolkata in First Appeal No.1108 of 2014. By the impugned order, the State Commission has affirmed the order dated 29.08.2014 passed by the District Consumer Disputes Redressal Forum, Howrah (for short "the District Forum") in Complaint Case No.395 of 2013. By the said order, while following its earlier order in a similar case, the District Forum had allowed the Complaint with the direction to the Petitioner to release the assured sum of 50,000/- to the Complainants within 30 days. While issuing the said direction, the District Forum has noted that its earlier order in MACC No.290 of 2010 was not appealed against by the Insurance Company.

2. Having heard learned Counsel for the Petitioner, we are of the view that the Petition is without any substance, more so when, as observed by the District Forum, the order relied upon by it had not been appealed against. Further, a similar question had come up for consideration before this Commission in "New India Assurance Co. Ltd. vs. Smt. Mukti Poddar & Ors., Revision Petition No.3095

of 2010" and other connected matters and vide order dated 27.11.2015, all the Revision Petitions filed by the Insurance Company were dismissed.

3. Following the said decision, we dismiss the present Revision Petition in limine .

4. The Revision Petition stands disposed of.