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**(1992) 01 NCDRC CK 0024**

**In the National Consumer Disputes Redressal Commission**

SHAMSHA BANO , Abu Sufiyan

APPELLANT

Vs

SAHARA INDIA LTD.

RESPONDENT

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**Date of Decision :** 28-01-1992

**Acts Referred:**

**Citation :** 1992 0 CPC 400 : 1992 1 CPR 522 : 1992 2 CPJ 481 : 1993 1 CLT 238

**Hon'ble Judges :** V.Balakrishna Eradi , A.S.Vijayakar , B.S.Yadav J.

**Final Decision :** Revision disposed of

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**Judgement**

1. THESE two connected applications have been filed by the respondent in the above two Revision Petitions praying for recall of the Order dated 3.10.1991 passed by us in the Revision Petitions.

2. THE ground stated in support of the application is that the notice issued by this Commission intimating the fact of posting of the case for hearing on 3.10.1991 was not served on the advocate appearing for the applicants (Respondent in the Revision Petitions) and hence the applicants had no knowledge of the posting of the case to the said date and only consequence thereof they were unable to appear before this Commission when these cases were heard. THE Registry of the Commission has submitted an office report wherein it is stated that the notice sent to the advocate of the applicants was returned back unserved with the remark that "there is no such person in M/s. Sahara India Ltd. (applicants company)". THE report further goes on to state that the certified copy of the Order passed by this Commission disposing of the Revision Petitions was also sent in the name of the advocate to the same address and that was received by him. However that may be, since that notice had been factually returned unserved we decided to afford a full hearing to the applicants on the merits of the Revision Petitions. Accordingly, the Counsel for the applicants was heard at length. THE Counsel for the Revision Petitioners was also present. After having bestowed our careful consideration on all the arguments advanced by the Counsel for the applicants (Respondent in the Revision Petition) we see no reason at all to vary the conclusions already recorded by us and

incorporated in the Order dated 3rd October, 1991. The contents of the said Order are hereby reiterated and the Order will be issued afresh as one passed on this date after hearing both sides. The applications and the Revision Petitions are disposed of as above. No costs. Revision disposed of.