

TULSI HOSPITAL THROUGH AMR SHANKAR GUPTA v. ROOP LAL

TULSI HOSPITAL THROUGH AMR SHANKAR GUPTA

...Appellant

ROOP LAL

...Respondent

Case No: REVISION PETITION NO. 2267 OF 2023

Date of Judgement: 04 October 2023

Judges:

KARUNA NAND BAJPAYEE
PRESIDING MEMBER

For Appellant: MR. PARTHA MANDAL, ADVOCATE

For Respondent: None.

Facts:

This is a Revision Petition filed before the National Consumer Disputes Redressal Commission challenging the order dated 05/06/2023 passed in First Appeal No. 258 of 2015 by the State Commission, Uttar Pradesh. The First Appeal had arisen out of the order dated 19/12/2013 passed by the District Commission in complaint no. 334 of 2012. The petitioners are Tulsi Hospital, Dr Shahid Parwej Baligh, and Dr Vinay Baligh. The respondent is Mr. Roop Lal.

Court's Elaborate Opinion:

The Counsel for the petitioners sought permission to withdraw the Revision Petition and not pursue it further. In view of the submission made by the Counsel, the Commission dismissed the Revision Petition as withdrawn without the option to file it again before the Commission.

Referred Sections:

Section 21(1)(b) of The Consumer Protection Act, 1986 (under which the

Revision Petition has been filed)

Order:

The Revision Petition stands dismissed as withdrawn without the option to file it again before the National Commission. Copy of the Order to be sent to the parties and the fora below. Order to be uploaded on the Commission's website.

Case Laws Referred:

No case laws were referred in the order.

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Court

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Full Text of Judgment:

1. This Revision Petition has been filed under Section 21(1)(b) of The Consumer Protection Act, 1986 in challenge to the Order dated 05.06.2023 passed by the State Commission in First Appeal No. 258 of 2015 arising out of the Order dated 19.12.2013 of the District Commission in complaint no. 334 of 2012.
2. Heard the learned counsel for the petitioners. Perused the record including inter alia the impugned Order dated 05.06.2023 passed by the State Commission, the Order dated 19.12.2013 passed by the District Commission and the memo of petition.
3. During the course of the arguments, learned counsel for the petitioners sought a brief interlude in order to seek instructions. Later on, he has appeared again and submitted that he has instructions to withdraw the petition and as such he does not wish to pursue the same any further and permission, therefore, may be granted to withdraw the petition.
4. In the wake of the above submissions made by the learned counsel, the instant petition stands dismissed as withdrawn without the option to file it again before this Commission.
5. The Registry is requested to send a copy each of this Order to the parties in the petition and to the learned counsel for the petitioners as well as to the fora below within three days. The stenographer is requested to upload this Order on the website of this Commission

within three days.