

**NATIONAL CONSUMER DISPUTES REDRESSAL COMMISSION
NEW DELHI**

APPEAL EXECUTION NO. 59 OF 2019

(Against the Order dated 21/06/2019 in Complaint No. 616/2018 of the State Commission Punjab)

1. ORIENTAL INSURANCE CO. LTD.

THROUGH ITS DULY CONSTITUTED ATTORNEY, THE
ORIENTAL INSURANCE CO.LTD. HEAD OFFICE:- 88,
JANPATH, 1ST FLOOR.

NEW DELHI-110001

.....Appellant(s)

Versus

1. RAVINDER SINGH KNAG

S/O. SH. BALDEV SINGH. R/O. VPO, HARDASA.

FEROZEPUR.

PUNJAB.

.....Respondent(s)

BEFORE:

HON'BLE MR. DINESH SINGH, PRESIDING MEMBER

HON'BLE MR. JUSTICE KARUNA NAND BAJPAYEE, MEMBER

For the Appellant :

Mr. A. K. Singh, Sr. Advocate with
Mr. Abhishek Kumar Gola, Advocate
Mr. Anshul, Advocate
Mr. Satpal Singh, Dy. Manager of
appellant

For the Respondent :

In Person

Dated : 05 Jan 2023

ORDER

1. This appeal (execution) has been filed under section 27A of the Act 1986 in challenge to the Order dated 21.06.2019 of the State Commission in execution no. 10 of 2019 in complaint no. 616 of 2018.

2. We have heard the learned senior counsel for the appellant (the judgment debtor(s) before the State Commission) and the respondent (the decree holder before the State Commission) in person and have perused the record.

3. A reading of the impugned Order dated 21.06.2019 shows that an application bearing no. 1149 of 2019 filed by the judgment debtor(s) for preponing the hearing was allowed by the State Commission and the matter was heard the same day and thereafter another application bearing no. 1150 of 2019 filed by the judgment debtor(s) for recalling bailable warrants issued earlier on 11.06.2019 was considered and the bailable warrants were ordered to be kept in abeyance till the next date of hearing and it was also further ordered that if the same had been issued by then the same may be recalled. We thus notice that both applications of the judgment debtor(s) were essentially allowed by the State Commission and as such we discern no good or cogent reason for challenge to the State Commission's Order particularly when the judgment debtor(s) are free to raise all their issues and contentions and make all their submissions in respect of any incidental issue(s) before the State Commission in the normal course.

4. Learned senior counsel submits that vide this Commission's common Order dated 15.11.2019 passed in the present appeal (execution) no. 59 of 2019 together with the first appeal no. 341 of 2019 the further operation of the Order dated 25.10.2018 of the State Commission which was under execution in the execution proceedings before the State Commission and which is under challenge in first appeal no. 341 of 2019 before this Commission had been stayed till the disposal of both cases. He fairly submits that there is therefore no reason now to press the present appeal (execution) any further and the same may be dismissed but requests that it may be made clear that after dismissal of this present appeal (execution) the operation of the Order dated 25.10.2018 of the State Commission will continue to remain stayed till the disposal of first appeal no. 341 of 2019.

5. In the light of the above, the present appeal (execution) no. 59 of 2019 is dismissed. It is simultaneously made explicit that the operation of the Order dated 25.10.2018 of the State Commission shall remain stayed till the disposal of first appeal no. 341 of 2019.

6. The Registry is requested to send a copy each of this Order to the parties in the appeal and to their learned counsel as well as to the State Commission immediately. The stenographer is requested to upload this Order on the website of this Commission immediately.

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DINESH SINGH
PRESIDING MEMBER
.....J
KARUNA NAND BAJPAYEE
MEMBER