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Supreme Court Rules Relevant to Consumer Protection Act

GSR 409, dated 3-7-1990

In exercise of the powers conferred by Article 145 of the Constitution and all other powers enabling it in this behalf, the Supreme Court hereby makes, with the approval of the President, the following rules further to amend the Supreme Court Rules, 1966, namely:-

1. (1) These rules may be called the Supreme Court (First Amendment) Rules, 1990.

(2) They shall come into force on the date of their publication in the Official Gazette.*

In the Supreme Court Rules, 1966.

2. (a) Order XX(F) with the title "Appeals under section 23 of the Consumer

Protection Act, 1986 (68 of 1986)" shall be inserted after Order XX(E).

XX(F).-The petition of appeal from an order made by the National Disputes Redressal Commission (hereinafter referred to as "The National Commission") under sub-clause (i) of clause (a) of section 21 of the Consumer Protection Act, 1986 (69 of 1986) shall, subject to the provisions of sections 4, 5 and 12 of the Limitation Act, 1963 (36 of 1963) be presented by an aggrieved person within thirty days from the date of the order sought to be appealed against:

Provided that computing the said period, the time requisite for obtaining a copy of such order shall be excluded.

2A. The petition of appeal shall recite succinctly and clearly all the relevant

facts leading up to the order appealed from, and shall set forth in brief the objections to the order appealed from and the ground relied on in support of the appeal. The petition shall also state the date of the order appealed from as well as the date on which it was received by the appellant.

3. The petition of appeal shall be accompanied by:-

(i) an authenticated copy of the order appealed from; and

(ii) at least seven spare sets of the petition and the papers filed with it.

*Supreme Court of India, Notification No. GSR 409 dated July 3, 1990, published in the Gazette of India, Part II. Section 3(i), dated 7-7-1990, pp. 15 41-1544. (F.No. 548/RS/SCI/90).

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4. After the appeal is registered, it shall be put up for hearing ex parte before

the court which may either dismiss it summarily or direct issue of notice to all necessary parties or may make such orders as the circumstances of the case may require.

5. A fixed court fee of Rs. 250 shall be payable on the petition of appeal under this order.

6. Save as otherwise provided by the rules contained in this order, the provisions of other orders shall apply so far as may be, to appeals under section 23 of the Consumer Protection Act, 1986 (68 of 1986).

The table of contents (page vi) of the Supreme Court Rules, 1966 and Third Schedule-Part II with regard to fees will be amended as under:-

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