

June 2023

INSURANCE INSIGHT

Survey Report can be admitted by the State Consumer Disputes Redressal Commission
even if the same was not filed in the District Consumer Disputes Redressal Commission



ANIMESH SINHA & PARTNERS
ADVOCATES & SOLICITORS

Survey Report can be admitted by the State Consumer Disputes Redressal Commission even if the same was not filed in the District Consumer Disputes Redressal Commission

The Hon'ble National Consumer Disputes Redressal Commission in the case of Aakup Khan v. Reliance General Insurance Company Limited & Ors., Revision Petition 2317 of 2015 refused to allow the revision petition filed against the impugned order passed by the Learned SCDRC, Rajasthan.

The Hon'ble NCDRC held that the State Commission was right in reducing the amount awarded by the learned DCDRC on the basis of the survey report. In this case, opposite parties had not filed the survey report in the DCDRC the DCDRC had awarded an amount larger than what the surveyor had assessed only on the basis of the statements made by the Complainant.

In this case, the opposite parties failed to file the survey report in the DCDRC and filed it in the Learned SCDRC, at the stage of Final Arguments and even the copy of the same was not supplied to the Petitioner, despite that the said report was relied upon by the learned SCDRC to reduce the claim and the judgment passed by the learned SCDRC was upheld by the Hon'ble NCDRC as well.



D106 SF Defence Colony
New Delhi - 110024



asp@sinhapartners.com
www.sinhapartners.com



+91 11 41 046 911
+91 11 40 536 008