

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. 3178-3179 OF 2011
(Arising out of SLP(C) Nos. 21582-21583/2010)

NANDINI RASTOGI

Appellant(s)

:VERSUS:

FATEH BAHADUR SINGH AND ORS.

Respondent(s)

O R D E R

Delay condoned.

Leave granted.

The National Consumer Disputes Rederessal Commission, New Delhi found appellant and Kulwanti Hospital & Research Centre jointly guilty of negligence and directed a compensation of Rs.2,50,000/- to be paid to the complainant-respondent No.1, with interest at the rate of 6% per annum from the date of complaint till the date of payment. The said amount was directed to be borne equally by the appellant and the said Hospital - respondent No.2 herein.

We have heard the learned counsel for the parties. In the facts and circumstances of this case, we are of the considered view that the entire amount of compensation ought to be paid by the Hospital. We order accordingly. The order passed by the National Commission is modified to that extent.

Learned counsel appearing on behalf of the Hospital submits that 50% of the amount has already been paid by them and the remaining 50% would be paid by the Hospital to respondent No.1 Fateh Bahadur Singh, within four weeks from today. The counsel for the Hospital prayed that detailed discussion be avoided since the Hospital has agreed to pay the balance amount of compensation as directed.

The complainant - respondent No.1 submits that some amount has been deposited before the Uttar Pradesh State Commission for Redressal of Consumer Disputes, Lucknow. We direct that the said amount shall be paid to the complainant - respondent No.1 within two weeks from today.

These appeals are disposed of with the
aforementioned observations and directions.

.....J
(DALVEER BHANDARI)

.....J
(DEEPAK VERMA)

New Delhi;
April 7, 2011.