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A careful reading of the impugned order shows that the Commission has allowed the complaints without making detailed evaluation of the pleadings and evidence and without considering the documents produced by the parties. We may have, keeping in view the settled legal position that the appellate court is possessed with all the powers of the trial court, decided the appeals on merits but as the parties do not appear to have properly understood the magnitude of the controversy and the nature of evidence which was required to be produced, we feel that it would be just and proper to remit the matter to the Commission for fresh adjudication of the complaints after giving opportunity to the parties to adduce oral as well as documentary evidence.

Accordingly, the appeals are allowed, impugned order is set aside and the original petitions are remitted to the Commission for decision afresh in accordance with law after framing issues and giving opportunity to the parties to adduce oral and documentary evidence.

As the complaints were filed twelve years ago, we feel that it would be expedient to fix a time-frame for deciding the petitions afresh on merits. Learned counsel appearing on behalf of the parties made a statement at the Bar that their respective clients undertake to cooperate the Commission in disposal of the petitions within a period of one year. Accordingly, the Commission is requested to dispose of the petitions within a period of one year from the date of receipt/production of copy of this order.

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Civil Appeal Nos.6147 to 6151 of 2005 :

In view of the order passed in Civil Appeal Nos.5336-5340 of 2005, these appeals have become infructuous and the same are, accordingly, dismissed.

[B.N. AGRAWAL]J.

[HARJIT SINGH BEDI]J.

[G.S. SINGHVI]J.

**New Delhi,
July 31, 2008.**