

Competition Act, 2002

Section 53N - Awarding compensation.—

1) Without prejudice to any other provisions contained in this Act, the Central Government or a State Government or a local authority or any enterprise or any person may make an application to the Appellate Tribunal to adjudicate on claim for compensation that may arise from the findings of the Commission or the orders of the Appellate Tribunal in an appeal against any findings of the Commission or under section 42A or 3[under sub-section (2) of section 53Q or the orders of the Supreme Court in an appeal against the findings of the Appellate Tribunal under section 53T or an order for settlement passed under section 48A, and to pass an order for the recovery of compensation from any enterprise for any loss or damage shown to have been suffered, by the Central Government or a State Government or a local authority or any enterprise or any person as a result of any contravention of the provisions of Chapter II, having been committed by enterprise or as a result of order of settlement passed by the Commission]. (2) Every application made under sub-section (1) shall be accompanied by the findings of the Commission 4[or Appellate Tribunal or the Supreme Court, or an order for settlement], if any, and also be accompanied with such fees as may be prescribed. (3) The Appellate Tribunal may, after an inquiry made into the allegations mentioned in the application made under sub-section (1), pass an order directing the enterprise to make payment to the applicant, of the amount determined by it as realisable from the enterprise as compensation for the loss or damage caused to the applicant as a result of any contravention of the provisions of Chapter II having been committed by such enterprise: 1. 20-12-2007, vide S.O. No. 2167(E), dated 20-12-2007. 2. 20-5-2009, vide S.O. No. 1242(E), dated 15-5-2009.