

Court No. - 40

Case :- WRIT - C No. - 31760 of 2023

Petitioner :- Vakil Ahmad

Respondent :- Axis Bank Limited and 3 Others

Counsel for Petitioner :- Sudeep Dwivedi, Mohd Rehan Ansari

Counsel for Respondent :- Sanjay Kumar Gupta

Hon'ble Mahesh Chandra Tripathi, J.

Hon'ble Prashant Kumar, J.

1. By means of present writ petition the petitioner has assailed the validity of the impugned order dated 25.3.2023 passed by the District Forum Consumer Protection 2nd, District Bareilly in Complaint Case No.60 of 2019 (Vakil Ahmad vs. Axis Bank Limited and others).

2. Sri Sanjay Kumar Gupta, learned counsel for the respondents has raised preliminary objection regarding maintainability of the present writ petition on the ground that the petitioner has got efficacious alternative remedy to challenge the impugned order before the State Consumer Disputes Redressal Commission and as such, the writ petition is liable to be dismissed on the ground of alternative remedy.

3. Once against the impugned order efficacious alternative remedy is available to the petitioner, then there is no reason or occasion to intervene in the matter.

4. In view of above, the writ petition is disposed of with observation that if the petitioner files an appeal against the impugned order within four weeks from today, the same would be entertained expeditiously.

Order Date :- 31.10.2023

RKP