

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

MONDAY, THE 20TH DAY OF JULY 2015/29TH ASHADHA, 1937

WP(C).No. 28449 of 2006 (J)

PETITIONER:

**EBIN JACOB, S/O. C.J.JACOB,
CHERUPALLIL, THOTTAKOM, VAIKOM, KOTTAYAM,
(MINOR REPRESENTED BY HIS FATHER C.J.JACOB,
CHERUPALLIL, THOTTAKAKOM, VAIKOM,
KOTTAYAM.)**

**BY ADVS.SRI.THOMAS ANTONY,
SRI.S.SURAJ (PALATHANATHU).**

RESPONDENTS:

- 1. INDO-AMERICAN HOSPITAL BRAIN AND SPINE CENTRE,
CHEMMANKARY, VAIKOM, KOTTAYAM DISTRICT.**
- 2. DR. P.C.MENON M.S.(ORTHO),
CONSULTANT ORTHOPEADIC SURGEON,
INDO-AMERICAN HOSPITAL, BRAIN AND SPINE CENTRE,
CHEMMANAKARY, VAIKOM, KOTTAYAM DISTRICT.**
- 3. THE STATE CONSUMER DISPUTES REDRESSAL COMMISSION,
VAZHUTHAKKAD, TRIVANDRUM.**

**R1 BY ADVS. SRI.SAJEEV MATHEW,
SRI.V.P.K.PANICKER,
R3 BY GOVERNMENT PLEADER SRI.MANOJ .P.KUNJACHAN.**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 20-07-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

WP(C).No. 28449 of 2006 (J)

APPENDIX

PETITIONER'S EXHIBITS:

- EXT.P1: TRUE PHOTOCOPY OF THE EXPARTE `JUDGEMENT' DT.29/08/2005 OF THE 3RD RESPONDENT.
- EXT.P2: TRUE PHOTOCOPY OF THE PETITION DT. 9.1.06. WITH AFFIDAVIT FILED BEFORE THE 3RD RESPONDENT.
- EXT.P3: TRUE PHOTOCOPY OF THE PETITION DT. 9.1.06 WITH AFFIDAVIT FILED BEFORE THE 3RD RESPONDENT.
- EXT.P4: TRUE PHOTOCOPY OF THE ORDER DT. 27.3.06 OF THE 3RD RESPONDENT.

RESPONDENTS' EXHIBITS: NIL.

//TRUE COPY//

P.A. TO JUDGE.

Prv/2.

K. VINOD CHANDRAN, J.

W.P(C). No.28449 of 2006

Dated this the 20th day of July, 2015.

JUDGMENT

The above writ petition was filed against the dismissal of an application by the State Consumer Disputes Redressal Commission, for non-appearance of the petitioner as also non-compliance of the direction dated 22.08.2005. The Commission dismissed the complaint on 29.08.2005 by Ext.P1. The petitioner is said to have filed an application to restore the case. The same was also dismissed by Ext.P4 on 27.03.2006. Herein also, the petitioner has not taken steps to complete the service on the 2nd respondent.

In such circumstance, nothing survives in the writ petition. The same is dismissed.

Sd/-

**K. VINOD CHANDRAN,
JUDGE**

sp