

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 22ND DAY OF SEPTEMBER 2015/31ST BHADRA, 1937

WP(C).No. 22111 of 2015 (L)

PETITIONERS/APPELLANTS/J.DS/OPPOSITE PARTIES 2, 3 & 4:

- 1. T.K. KRISHNAN, AGED 69 YEARS,
S/O.P.V. RAMA IYER, RESIDING AT "SURETHNA",
SALIM RAJAN ROAD, GANDHI NAGAR, KOCHI- 682 017.**
- 2. P. BALACHANDRAN, JANAKIBHAVAN,
PALLILAMKARA, KALAMASSERY,
KOCHI -683 503.**
- 3. A.K. JOSEPH, ARACKAL HOUSE,
PACHALAM, KOCHI- 682 012.**

BY ADV. SRI.JOHN JOSEPH (ROY).

RESPONDENTS/RESPONDENTS/D.H./COMPLAINANT & 1ST O.P.:

- 1. CONSUMER DISPUTES REDRESSAL FORUM,
ERNAKULAM, KATHRIKADAVU, KALOOR P.O.,
ERNAKULAM, REPRESENTED BY ITS SECRETARY, PIN- 682 020.**
- 2. E.O. JOHN, S/O.LATE OUSEPH, KOOTTOOR HOUSE,
KANJIRAMATTAM P.O., AMBALLOORE VILLAGE,
KANAYANNOOR TALUK, ERNAKULAM DISTRICT -682 315.**
- 3. THE COCHIN FASHION JEWELLERY,
A PARTNERSHIP FIRM HAVING OFFICE AT XL/7445,
M.K.V. BUILDINGS, NEAR SHENOYS THEATRE,
M.G ROAD, KOCHI- 682 035, REPRESENTED BY ITS
MANAGING PARTNER T.R. KRISHNAN. (NOT IN EXISTENCE).**

**R1 BY GOVT. PLEADER SRI.MANOJ KUNJACHAN.
R2 BY ADV. SRI.P.V.VARGHESE (KANJIRAMATTOM)**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 22-09-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

rs.

APPENDIX

PETITIONER'S EXHIBITS:-

- EXHIBIT P1. COPY OF THE ORDER DATED 08.12.2014 OF THE 1ST RESPONDENT IN CC.95/2013.
- EXHIBIT P2. COPY OF THE STAY PETITION FILED BY THE PETITIONERS BEFORE THE CONSUMER DISPUTES REDRESSAL COMMISSION.
- EXHIBIT P3. COPY OF THE NOTICE RECEIVED IN ST.14/2015 IN CC.95/2013 OF THE 1ST RESPONDENT.
- EXHIBIT P4. COPY OF THE ADVANCE PETITION FILED BEFORE THE STATE COMMISSION DATED 14.07.2015.
- EXHIBIT P5. COPY OF THE ORDER OF STAY IN IA.531/2015 IN APPEAL NO.330/2015 OF THE STATE COMMISSION STAYING EXECUTION OF EXHIBIT P1.

RESPONDENT'S EXHIBITS:-

- EXT.R2A COPY OF THE FIXED DEPOSIT RECEIPTS NO.463 ISSUED AND SIGNED BY THE 1ST PETITIONER AS ITS MANAGING PARTNER.

//TRUE COPY//

P.S. TO JUDGE

rs.

A.MUHAMED MUSTAQUE, J.

W.P(C)No. 22111 of 2015

Dated this the 22nd day of September, 2015

J U D G M E N T

Petitioners, aggrieved by the order issued by the Consumer Disputes Redressal Forum, has approached this Court.

2. The petitioners approached the Kerala State Consumer Disputes Redressal Commission as against the order passed by the Consumer Disputes Redressal Forum, Ernakulam and the appeal is pending as Appeal No.330 of 2015. In the appeal, interim stay has been granted.

3. In that view of the matter, the execution proceedings shall be deferred till the disposal of the appeal. This Court is of the view that Appeal No.330 of 2015 shall also be disposed of by the Kerala State Consumer Disputes Redressal Commission within a period of three months from the date of receipt of a copy of this judgment, after hearing the petitioners. The respondents shall take note of the

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pendency of the appeal as above.

This writ petition is disposed of as above.

sd/-

A.MUHAMED MUSTAQUE,

Judge

MBS/

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