

THE HON'BLE SRI JUSTICE R. SUBHASH REDDY
AND
THE HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

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WRIT PETITION No.20263 OF 2015
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ORDER: (Per Hon'ble Sri Justice R. Subhash Reddy)

This Writ Petition is filed seeking to direct the 1st respondent to adjudicate F.A.No.679 of 2014 filed against the order, dated 29.09.2014, passed in C.C.No.827 of 2013 by the 3rd respondent - District Consumer Disputes Redressal Forum – II, Hyderabad.

It is submitted by the learned counsel for petitioner that to enforce the order passed in the aforesaid C.C., the 4th and 5th respondents have filed E.A.No.71 of 2014 before the 3rd respondent, but aggrieved by the very same order, petitioner has already filed an appeal in F.A.No.679 of 2014 pending before the State Commission and as such, the aforesaid E.A. is not maintainable. The learned counsel, in support of his argument, has placed reliance on a judgment of this Court in **Maytas Properties Limited v. A.P. State Consumer Disputes Redressal Commission**.

As the petitioner has already filed an appeal before the State Commission aggrieved by the order passed in the aforesaid C.C. and as the State Commission is functioning now, the petitioner can as well pursue the appeal and the plea raised herein can also be considered by the appellate forum. Hence, we deem it appropriate to dispose of the Writ Petition by permitting the petitioner to pursue the appeal filed before the State Commission. Further, the interim order passed by this Court shall continue to operate for a further period of

six (6) weeks from today.

Subject to the above, the Writ Petition is disposed of. Miscellaneous Petitions, if any, pending in this Writ Petition, shall stand closed. No costs.

R. SUBHASH REDDY, J

A. SHANKAR NARAYANA, J

December 07, 2015

MD