

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

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WRIT PETITION No.34360 of 2015

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ORDER: *(Per Hon'ble Sri Justice R.Subhash Reddy)*

This writ petition is filed seeking Mandamus to direct the 1st respondent-Telangana State Consumer Disputes Redressal Commission to adjudicate appeal in F.A.No.145 of 2015, which is preferred against the order, dated 23.07.2015, in Consumer Complaint No.173 of 2015 passed by the 2nd respondent.

After filing the aforesaid appeal, the petitioner has approached this Court mainly on the ground that the 1st respondent – Commission was not functioning, as no President was appointed to it.

Since the petitioner has pre-deposited an amount of Rs.25,000/-, this Court, while issuing notice before admission, granted interim orders on 14.10.2015 on condition of the petitioner depositing Rs.1,00,000/-.

It is represented that the petitioner has deposited Rs.1,00,000/- in terms of the interim order passed by this Court on 14.10.2015. It is also submitted that the 1st respondent – Commission is now functioning.

In view of the submission that the 1st respondent – Commission is now functioning, it is open to the petitioner to pursue F.A.No.145 of 2015 pending before the 1st respondent and also interlocutory applications, if any filed therein. It is made clear that the deposit of Rs.1,00,000/- made by the petitioner pursuant to interim orders, dated 14.10.2015, passed by this Court, shall be subject to further orders to be passed by the 1st respondent.

Granting liberty to the petitioner to pursue F.A.No.145 of 2015 and also interlocutory applications filed therein, before the 1st respondent seeking appropriate orders, we direct that the interim order, dated 14.10.2015, passed by this Court shall continue for a period of four weeks from today. Further, it is open to the 3rd respondent – claimant to file appropriate application before the 1st respondent – Commission for withdrawal of the amount and, if such application is filed, the 1st respondent shall consider the same on its own merits.

Subject to the above, the Writ Petition is disposed of. No order as to costs.

As a sequel, pending miscellaneous petitions, if any, shall stand closed.

JUSTICE R.SUBHASH REDDY

JUSTICE A.SHANKAR NARAYANA

03.12.2015

v v