

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF
ANDHRA PRADESH**

*** * * ***

WRIT PETITION No.25344 of 2015

Between: —

A.Sudhaker and another

.. Petitioners

And

The State of Telangana, rep. by its
Principal Secretary, Department of Civil Supplies,
Secretariat, Hyderabad
and others.

.. Respondents

DATE OF JUDGMENT PRONOUNCED: 12-08-2015

SUBMITTED FOR APPROVAL:

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

1. Whether Reporters of Local newspapers
Yes/No
may be allowed to see the Judgment?

2. Whether the copies of judgment may be
Yes/No

marked to Law Reporters/Journals

3. Whether Their Lordship wish to
see the fair copy of the Judgment?
Yes/No

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

WRIT PETITION No.25344 of 2015

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

In this writ petition, the petitioners have questioned the order dated 09.07.2015 in I.A.No.93 of 2015 in C.C.No.303 of 2014 passed by the District Consumer Disputes Redressal Forum, Ranga Reddy District (for short, 'the Forum').

By the aforesaid impugned order, the Forum has appointed one D.K.Reddy of M/s. N & N Engineering Associates, Narayanguda, Hyderabad as an Expert Engineer for the purpose of preparing a valuation report with regard to the construction works already completed in the house property bearing No.1-4-158/42/B covered by plot Nos.42/A and 42/B (part of plot No.42), each admeasuring 313 sq. yards, in Sy.No.603 situated at Saipuri, Keesara Mandal, Ranga Reddy District. The petitioners, who are the builders, and the respondents 2 to 7 herein, the owners of the subject property, have entered into an agreement of construction on 14.11.2013 for construction of a residential complex on the

subject property. On the ground that the constructions made by the petitioners are defective, the respondents 2 to 7 have cancelled the agreement and sought refund of the balance amount of Rs.12,48,786/- on the basis of valuation report dated 17.10.2014 prepared by the Chartered Engineer. On the other hand, the petitioners have disputed the said valuation report and stated that the value of the construction made by them is Rs.44,96,000/-. As such, by the impugned order, the Forum has appointed one D.K.Reddy of M/s. N & N Engineering Associates, Narayanguda, Hyderabad as Expert Engineer to value the constructions, which are already completed by the petitioners.

In this writ petition, it is the contention of learned counsel for the petitioners that instead of appointing Government Engineers or Engineers associated with the Government Corporations, the Forum has appointed private Engineering Associates for assessing the value of the constructions made by the petitioners.

Except the specific allegation that M/s. N & N Engineering Associates is a private Company, no other allegations are raised by the petitioners. Since the appointment of private Engineering Associates by the Forum is only for the purpose of preparing a valuation report with regard to the construction works already completed in the disputed building, if the petitioners have any doubt on such

Company, they can seek the assistance of their own Engineer by taking him to the subject property at the time of inspection by M/s. N & N Engineering Associates. Though the petitioners contend that the Forum has not appointed a Government Engineer and instead appointed private Engineering Associates, that by itself, is no ground to question the impugned order. Even after filing of valuation report by M/s. N & N Engineering Associates, if the petitioners have any objections thereto, they can put forth the same before the Forum.

Subject to the above observations, 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

12.08.2015

v v

