

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

And

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

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WRIT PETITION No.9171 of 2015

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ORDER: (per Hon'ble Sri Justice Ramesh Ranganathan)

The order of the Andhra Pradesh State Consumer Redressal Commission, Hyderabad ("State Commission" for short) dated 04.02.2015 records the docket entries dated 24.10.2014, 17.11.2014, 20.11.2014, 28.11.2014, 01.12.2014 and 18.12.2014, as the dates on which the counsel for the appellant was absent, and regarding the absence of any representation on his behalf. It also shows that, even on 04.02.2015, neither was the counsel for the appellant present, nor was there any representation on his behalf before the State Commission. It is in such circumstances that the State Commission considered it appropriate to dismiss the appeal for non-prosecution.

Against the order passed by the State Commission, the petitioner has a statutory remedy of preferring a revision to the National Commission, without exhausting which he has invoked the extra-ordinary jurisdiction of this Court. We see no reason, therefore, to exercise discretion under Article 226 of the Constitution of India to interfere. It is made clear that this order shall not preclude the petitioner from approaching the National Commission against the order passed by the State Commission.

The Writ Petition is, accordingly, dismissed. Miscellaneous petitions pending, if any, shall also stand dismissed. There shall be no order as to costs.

RAMESH RANGANATHAN, J

M.SATYANARAYANA MURTHY, J

02nd April, 2015.

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