

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

WRIT PETITION No.29336 of 2015

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

In this writ petition, the petitioner seeks Mandamus to direct the 3rd respondent – District Consumer Disputes Redressal Forum-II, Hyderabad not to proceed with E.A.No.16 of 2015 till disposal of FASR.No.5486 of 2014 filed before the 2nd respondent – Telangana State Consumer Disputes Redressal Commission.

The 4th respondent is the complainant in Consumer Case No.123 of 2013 filed before the 3rd respondent. The petitioner – Life Insurance Corporation of India is the 1st respondent in the said Consumer Case. The 3rd respondent, by order dated 31.07.2014, partly allowed the complaint by directing the petitioner herein to pay the matured amount of Rs.3,00,000/- along with interest at 15% per annum from the date of death of deceased i.e., 19.07.2011 and further to pay a sum of Rs.5,000/- towards costs. Questioning the said order, the petitioner has filed appeal before the 2nd respondent – State Commission and the same is numbered as FASR.No.5486 of 2014. When such appeal was not taken up as there was no quorum, the

petitioner approached this Court.

This Court, by order dated 10.09.2015, granted interim orders on condition of the petitioner depositing 50% of the amount as per the order dated 31.07.2014 passed in C.C.No.123 of 2013.

It is represented that the petitioner has deposited the amount as ordered by this Court on 10.09.2015, but with some delay. To condone the delay in depositing the amount, WPMP.No.4993 of 2015 is filed and the same is allowed today.

Inasmuch as the 2nd respondent – State Commission started functioning now, we do not find any reason to keep the writ petition pending at this stage. Since the petitioner has already deposited 50% of the amount pursuant to the order dated 10.09.2015, we dispose of the writ petition permitting the petitioner to pursue the appeal pending before the 2nd respondent. Further, we direct the 3rd respondent not to proceed further in E.A.No.16 of 2015 till dispose of FASR.No.5486 of 2014. With regard to the amount deposited by the petitioner, we grant liberty to the 4th respondent to pursue the same before the 2nd respondent by filing an application seeking appropriate directions.

As a sequel, pending miscellaneous petitions, if any, shall stand closed. There shall be no order as to costs.

**JUSTICE R.SUBHASH
REDDY**

**JUSTICE A.SHANKAR
NARAYANA**

07.12.2015
v v