

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

WRIT PETITION No.33842 of 2015

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

This writ petition is filed with the prayer, which reads as under:

“For the reasons stated in the accompanying affidavit, it is hereby prayed that this Hon'ble Court may be pleased to issue a writ, order or direction, more particularly one in the nature of writ of Mandamus declaring the inaction and inability on the part of the 2nd respondent to hear the appeal SR No.1248 of 2015 along with its connected interlocutory applications as being arbitrary, illegal, unconstitutional, violative of the fundamental rights of the petitioner and consequently direct the 3rd respondent not to proceed with the execution proceedings in E.A.No.40 of 2015 in C.C.No.72 of 2014, during the pendency of the appeal by the 2nd respondent and to pass such other order or orders as this Hon'ble Court may deems fit, just and proper in the circumstances of the case.”

Only on the ground that the 2nd respondent – Telangana State Consumer Disputes Redressal Commission was not functioning as its President was not appointed, the present writ petition is filed.

By order dated 13.10.2015, while issuing notice before admission, this Court, on the statement made to the effect that the petitioner has already deposited half of the amount awarded by the District Consumer Disputes Redressal Forum, granted interim order.

As much as the petitioner has already filed an appeal before the 2nd respondent – State Commission, which is functioning now in view of the appointment of President, we permit the petitioner to pursue the pending appeal before the 2nd respondent. The interim order granted by this Court shall continue for a period of four weeks from today. It is

open to the 2nd respondent to consider the interlocutory applications, if any filed in the appeal, and pass appropriate orders.

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