

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 612 of 2016

S. P. Singh S/o Ram Chhabila Singh, Aged About 62 Years R/o Patliputra,
Near Mopka Petrol Pump, Seepat Road, P.S. Sarkanda Bilaspur, District
Bilaspur (Chhattisgarh)

---- Petitioner

Versus

1. Union Bank Of India Through : The Bank Manager Branch Transport
Nagar, Korba, District Korba (Chhattisgarh)
2. Chairman Cum Managing Director, Union Bank Of India, 239 Vidhan
Bhawan Road, Central Office, Nariman Point Mumbai 21 (Maharashtra)
3. Chhattisgarh State Consumer Disputes Redressal Commission Pandri,
Bus Stand, Raipur, District Raipur (Chhattisgarh)

---- Respondents

For Petitioner	:	Shri Shivraj Singh, Advocate
For Respondents No.1 & 2	:	Shri N. K. Vyas, Advocate

S.B.:Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

08/03/2016

Heard.

1. By this petition under Article 226/227 of the Constitution of India, the
petitioner impugns order dated 9.12.2015 passed by the State Consumer
Forum. By the impugned order, the petitioner's complaint under Section
13 (4) of the Consumer Protection Act, 1986 (in short "*the Act of 1986*")
has been dismissed for want of prosecution.
2. Though, learned counsel for the petitioner sought indulgence of this

Court, in view of the judgment of the Supreme Court in the case of **Nivedita Sharma Vs. Cellular Operators Assn. of India & Ors.** (2011) 14 SCC 337, in the light of availability of alternative remedy of appeal under Section 19 of the Act of 1986, I am not inclined to entertain this petition.

3. Therefore, this petition is dismissed with liberty file appeal before the competent forum.
4. As prayed, certified copy of the impugned order dated 9.12.2015 (Annexure P-3) be returned to the petitioner after retaining photocopy of the same.

Sd/-
(**Manindra Mohan Shrivastava**)
Judge