

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 8162 OF 2015

ASSISTANT ENGINEER, MSEDCL, AURANGABAD AND
ANOTHER
VERSUS
MAHENDRAKUMAR KHUSHALCHAND SAKALECHA

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Advocate for Petitioners : Gaikwad Anil M.

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CORAM : P.R.BORA,J.
DATED : 4TH JANUARY,2016

PER COURT :-

The petitioner has questioned the order passed by the District Consumer Redressal Forum, Aurangabad in Complaint No.189/08 on 31/3/2010 on the ground that such complaint was not maintainable before Consumer Forum and the Consumer Forum was having no jurisdiction to entertain such complaint. The learned counsel for petitioner has relied on the judgment of the Hon'ble Apex Court in the case of **U.P.Power Corporation Ltd. And others V/s Anis Ahmed passed in Civil Appeal No.5466/12 (arising out of SLP (C) No.35906/11) alongwith other Appeals.** The judgment relied upon by the learned counsel for the petitioner has been delivered on 1/7/2013 whereas the present Petition has been filed on 13/4/2015 and the office objections were removed only on 28/7/2015.

2] The order impugned in the present Petition is passed on 31/3/2010. Admittedly, the petitioner did not file any appeal against the said order before the State Commission. The judgment of the Hon'ble Apex Court relying on which the present Petition is filed, has been delivered on 1/7/2013 and as stated hereinabove, present Petition has been filed on 13/4/2015 and the office objections were removed on 28/7/2015. Having regard to the inordinate unexplained delay, I am not inclined to entertain the present Petition and cause interference in the order passed prior to more than five years. Petition therefore stands rejected.

(P.R.BORA,J.)

umg/