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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 6256 OF 2016

Dr. Dhiraj Agarwal and Ors. .. Petitioners

Versus

The Registrar, Maharashtra State Consumer
Dispute Redressal Commission and Ors. ... Respondents

Mr. Onkar Nagvekar i/by P.V. Badadare for the petitioners.

Mr. Vikkas Mali, AGP for the respondent State.

Mr. Kishor Joshi i/by Corps Legal for respondent no. 2.

**CORAM : SHANTANU KEMKAR &
MAKARAND KARNIK, JJ.
DATED : SEPTEMBER 27, 2016.**

P.C.

Parties through their counsel.

Feeling aggrieved by the order dated 11.4.2016 and 25.4.2016 passed by the State Consumer Dispute Redressal Commission, Maharashtra, Mumbai in Consumer Complaint No. CC/14/349, the petitioners have filed this petition. The grievance of the petitioners is that though on earlier occasion, their right to file written statements was closed, at the stage when the other respondents had filed written statements, the petitioners also were inclined to file the written statements, but the same was not

allowed by the Commission. Learned counsel for the petitioners submits that the petitioners will file written statements before the Commission within two weeks from today. Learned counsel for the original complainant, who is respondent no.2 herein has fairly conceded that the petitioners may be given one opportunity to file written statement.

In view of the aforesaid statement being made by the learned counsel for the parties, in the interest of justice, we set aside the impugned orders to the extent the petitioners have been denied the opportunity of filing the written statements with a direction to the Commission to allow the petitioners to file written statements within two weeks from today. In case the petitioners file the written statements within two weeks from today, the same be taken on record and thereafter the Commission to proceed with the matter in accordance with law.

Writ Petition is disposed of.

(MAKARAND KARNIK, J.)

(SHANTANU KEMKAR, J.)