

In the High Court of Judicature at Hyderabad
for the State of Telangana and the State of Andhra Pradesh

Writ Petition No.30042 of 2016

Between:

Nannapaneni Sreeramamurthy and another

... Petitioners

and

M/s.Nava Nirmana Engineering & Infratech
(Hyd) a Pvt. Ltd. Company
rep. by its Managing Director and 2 others

... Respondents

Date of Judgment Pronounced: 07-09-2016

Submitted for Approval:

The Hon'ble Sri Justice C.V.Nagarjuna Reddy

and

The Hon'ble Sri Justice G.Shyam Prasad

- | | |
|--|--------|
| 1. Whether Reporters of Local newspapers may be allowed to see the judgments ? | Yes/No |
| 2. Whether the copies of judgment may be marked to Law Reporters/Journals | Yes/No |
| 3. Whether Their Ladyship/Lordship wish to see the fair copy of the Judgment ? | Yes/No |

(C.V.Nagarjuna Reddy, J)

(G.Shyam Prasad, J)

*** The Hon'ble Sri Justice C.V.Nagarjuna Reddy**

and

The Hon'ble Sri Justice G.Shyam Prasad

+ Writ Petition No.30042 of 2016

% Dated 07.09.2016

Between:

Nannapaneni Sreeramamurthy and another

... Petitioner

and

M/s.Nava Nirmana Engineering & Infratech
(Hyd) a Pvt. Ltd. Company
rep. by its Managing Director and 2 others

...Respondents

! Counsel for the petitioner:

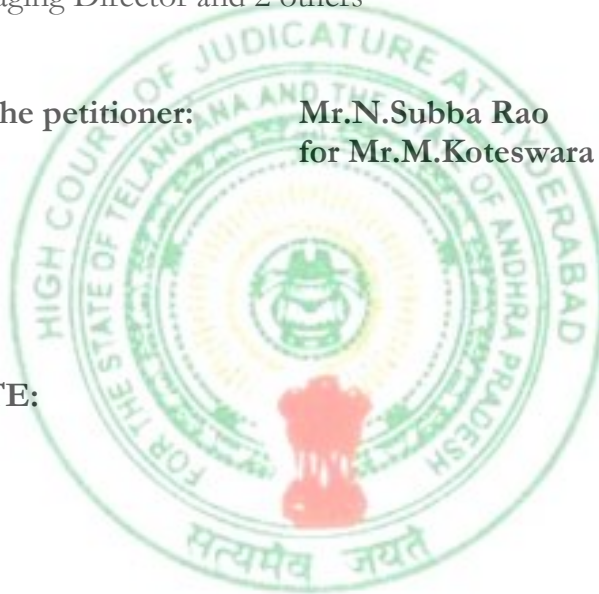
**Mr.N.Subba Rao
for Mr.M.Koteswara Rao**

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>HEAD NOTE:

? Cases cited:

Nil



The Hon'ble Sri Justice C.V.Nagarjuna Reddy

and

The Hon'ble Sri Justice G.Shyam Prasad

Writ Petition No.30042 of 2016

Date: 07.09.2016

Between:

Nannapaneni Sreeramamurthy and another

..Petitioners

and

M/s.Nava Nirmana Engineering & INfratech
(Hyd) a Pvt. Ltd. Company
rep. by its Managing Director
Sri M.Srinivas Shankar and 2 others

..Respondents

**Counsel for the Petitioners: Mr.N.Subba Rao
for Mr.M.Koteswara Rao**

The Court made the following:



Order: (Per the Hon'ble Sri Justice C.V.Nagarjuna Reddy)

The petitioners, feeling deceived by respondent Nos.1 and 2, who sold a residential flat to them and allegedly received the entire sale consideration, approached respondent No.3-Telangana State Consumer Redressal Commission for multiple reliefs.

From a perusal of the docket proceedings, it is evident that the petitioners' complaint was registered as CC.No.49 of 2016 and is being adjourned from time to time. Till date, the case underwent as many as nine adjournments from 16.03.2016. The docket proceedings filed by the petitioner further reveal that the only ground on which the case is being adjourned from time to time is the failure of respondent Nos.1 and 2 in entering appearance and filing their version.

Under Section 13(3A) of the Consumer Protection Act, 1986 (for short 'the Act'), every complaint shall be heard as expeditiously as possible and an endeavour shall be made to decide the complaint within a period of three months from the date of receipt of notice by the opposite party where the complaint does not require analysis or testing of commodities

and within five months if it requires analysis or testing of commodities.

Under the first proviso thereof, no adjournment shall be ordinarily granted by the District Forum unless sufficient cause is shown and the reasons for grant of adjournment have been recorded in writing by the Forum.

Under Section 18 of the Act, the provisions of Sections 12, 13 and 14 and the rules made thereunder for the disposal of complaints by the District Forum shall, with such modifications as may be necessary, be applicable to the disposal of disputes by the State Commission.

The legislative intent in prescribing the time limit for disposal of cases by the District Forum and the State Consumer Redressal Commission is to secure prompt relief to the victims of the unscrupulous service providers. From the facts pleaded by the petitioners and supported by the docket proceedings, it is evident that the period of three months stipulated by the Act, expired in June 2016 itself and that in spite of expiry of nearly six months from the date of registration of the complaint, no progress has been made in the disposal of the same. In these facts and circumstances of the case, respondent No.3 is

directed to dispose of the complaint of the petitioners positively on or before 31-12-2016.

Subject to the above direction, the Writ Petition is disposed of.

As a sequel to disposal of the Writ Petition, WPMP.No.37164 of 2016, filed by the petitioners for interim relief, is disposed of as infructuous.

(C.V.Nagarjuna Reddy, J)

(G.Shyam Prasad, J)

Dt: 7th September, 2016

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