

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

**and**

**The Hon'ble Sri Justice G.Shyam Prasad**

**Writ Petition No.14740 of 2016**

**Date: 19.09.2016**

**Between:**

Smt.Nisha Gupta

**... Petitioner**

**and**

AP.State Consumer Disputes Redressal Commission  
at Hyderabad and another

**...Respondents**

**Counsel for the Petitioner: Mr.Mohd.Amin  
for Mr.Pawan Kumar Agarwal**

**Counsel for respondent No.2: Mr.C.Tulasi Krishna  
for Mr.A.Venkatesh**

**The Court made the following:**



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

This Writ Petition is filed feeling aggrieved by Order, dated 08-03-2013, in CC.No.559 of 2011 on the file of respondent No.1- Commission.

A perusal of the record shows that though notice has been served on respondent No.2 and appearance has been entered on its behalf, the Registry has wrongly dismissed the Writ Petition against respondent No.2 purporting to follow Order, dated 21-07-2016, of this Court. The endorsement of the Registry is set aside and Respondent No.2 is, therefore, allowed to remain on record.

As rightly submitted by Mr.C.Tulasi Krishna, learned Counsel representing Mr.A.Venkatesh, learned Counsel for respondent No.2, that under Section 19 of the Consumer Protection Act, 1986, the petitioner has the effective alternative remedy of a statutory appeal to the National Commission. For the reasons, which are wholly unexplained, the petitioner has approached this Court by invoking the jurisdiction under Article 226 of the Constitution of India bypassing the remedy of appeal. Therefore, we do not find any reason to entertain this Writ Petition for adjudication on merits.

The Writ Petition is, accordingly, dismissed with liberty to the petitioner to avail the alternative remedy of appeal.

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(C.V.Nagarjuna Reddy, J)

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(G.Shyam Prasad, J)

Dt: 19<sup>th</sup> September, 2016  
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