

**THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO
AND
THE HON'BLE DR. JUSTICE B. SIVA SANKARA RAO
WRIT PETITION No. 25731 OF 2015**

ORDER: *(per Hon'ble Sri Justice Nooty Ramamohana Rao)*

None appears for the writ petitioners and there is also no representation when their names are called.

The District Consumer Disputes Redressal Forum-III, Hyderabad passed orders on 18.07.2014 in C.C. No. 94 of 2013 to which C.C., the petitioners herein are Respondents 1 and 2. By the order dated 18.07.2014, the District Consumer Disputes Redressal Forum-III held that the opposite party Nos. 1 to 4 are jointly and severally liable to pay the complainant a sum of Rs.5,68,000/- together with interest at 9% per annum from 09.12.2006 onwards. The opposite parties were also held as jointly and severally liable to pay the complainant a sum of Rs.20,000/- towards compensation and a further sum of Rs.2,000/- towards costs.

A District Consumer Disputes Redressal Forum is constituted under Section 9(a) of the Consumer Protection Act, 1986. Under Section 15 of the said Act, any person aggrieved by an order made by the District Forum may prefer an Appeal against such order to the State Commission constituted under Section 9(b) of the said Act. Perhaps, at the stage when this Writ Petition came to be entertained by this Court on 28.09.2015, there is no separate State Commission constituted for the State of Telangana. Though the State Commission came to be constituted by the State of Telangana, through G.O.Ms.No. 9, dated 15.10.2014, it started functioning from 09.11.2015 onwards. Therefore, in view of the availability and functioning of the State Commission created under Section 9(b) of the Act, by the State of Telangana, this Writ Petition cannot be entertained, but however, we hope and trust that if the petitioners approach the said State Commission, within a maximum period of 15 days from today, the time consumed for pursuing this Writ Petition may be considered for setting-

off against the period of limitation prescribed for preferring any such Appeal by the said Commission.

With this, the Writ Petition stands disposed of. No costs.

Consequently, the miscellaneous applications, if any shall also stand disposed of.

NOOTY RAMAMOHANA RAO, J

DR. B. SIVA SANKARA RAO, J

15th February 2016

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