

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****W.P. (C) No. 1428 of 2017**

1. Dena Bank, main branch, Jawahar Nagar, Raipur (C.G.)
2. Dena Bank, Kanker branch, Kanker (C.G.)

Both the Bank are represented through its Authorized Representative Sadaram Mangalram Mandavi, Branch Manager, Kanker, District Kanker, Chhattisgarh

**---- Petitioners****Versus**

1. The State Consumer Dispute Redressal Commission, Pandri, District – Raipur, Chhattisgarh
2. Chhattisgarh State Small Forest Growth (Business & Development), Sehkari Sangh Maryadit, A-25A, V.I.P. Estate, Near V.I.P. Club, Khamhardih, Shankar Nagar, Raipur, District – Raipur (C.G.)

**---- Respondents**


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|------------------------|----------------------------------------------------|
| For Petitioners:       | Mr. Pankaj Garg & Shri R.K. Bhagat,<br>Advocate    |
| For Respondents/State: | Mr. A.S. Kachhwaha, Additional<br>Advocate General |

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**Hon'ble Shri Justice Sanjay K. Agrawal****Order On Board****25/07/2017**

(1) Learned counsel for the petitioner would submit that impugned order passed by the State Consumer Dispute Redressal Forum is patently illegal, without jurisdiction and without authority of law and, therefore, this Court should step in exercise of power under Article 227 of the Constitution of India.

(2) Fact remains that the impugned order passed by the State Commission granting complaint filed under Section 17 of the

Consumer Protection Act, 1986 (henceforth "Act, 1986") is appealable before the National Commission under Section 21 (a) (ii) of the Act, 1986. Since the petitioner has alternative statutory remedy of filing appeal before the National Commissioner under Section 21(a)(ii) of the Act, 1986, I am not inclined to entertain this writ petition.

(3) Thus, the instant writ petition is held to be not maintainable. Accordingly, the writ petition is dismissed as not maintainable. However, it will not bar the petitioner to approach before the National Commission in accordance with law.

(4) No order as to costs.

Sd/-

(Sanjay K. Agrawal)  
Judge

D/-