

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 1349 OF 2015

Ramhari Vitthalrao Mote

.. **Petitioner**

Versus

Baburao Ganpati Suravase

.. **Respondent**

Shri Nikhil S. Tekale, Advocate for the Petitioner.

CORAM : S. V. GANGAPURWALA, J.

DATE : 14th December, 2017

PER COURT :

1. Mr. Tekale, learned advocate for the petitioner submits that petitioner has filed the present writ petition against the minority Judgment of the District Consumer Redressal Forum, Osmanabad. Clause 2 of the operative order of the learned member is erroneous.

2. I have gone through the order.

3. It is settled proposition that the majority Judgment is only binding. Out of three members the President and one member

has dismissed the complaint filed against the present petitioner by the respondent and only one member had partly allowed the complaint and in clause 2 of the operative order had directed that the Judgment be given to the Bar Council of Maharashtra and Goa.

4. The said Judgment of one member would be of no avail and would not bind any party in the wake of the Judgment of the President and one member dismissing the complaint. It is the majority view that would bind the parties, as the minority view would not bind any party and any observations made therein would not affect the rights of the petitioner. There is no purpose of entertaining the writ petition.

5. The writ petition is disposed of. No costs.

[S. V. GANGAPURWALA, J.]

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