

THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE SRI JUSTICE N. BALAYOGI

WRIT PETITION No. 2354 of 2017

ORDER: (per Hon'ble Sri Justice Sanjay Kumar)

Challenge in this writ petition is to the order dated 17.01.2017 passed by the District Consumer Disputes Redressal Forum - II, Vijayawada, Krishna District, in P.P.No.33 of 2014 in C.C.No.58 of 2014. The said order was passed in exercise of power under Section 27 of the Consumer Protection Act, 1986 (for brevity 'the Act of 1986').

Though Smt. T. Vidya Rani, learned counsel for the petitioners, would contend that it would be open to her clients to lay a challenge to the validity of the order passed in C.C.No.58 of 2014 even at the execution stage, the fact remains that an appeal is provided under Section 27-A of the Act of 1986 against any orders passed under Section 27 of the Act of 1986.

That being so, any issue relating to the jurisdiction of the forum to pass orders in the Consumer Case also can be addressed before the appellate forum.

In the light of the efficacious alternative statutory remedy provided to the petitioners, it is not open to them to invoke the extraordinary jurisdiction of this Court under Article 226 of the Constitution.

The Writ Petition is accordingly dismissed on this short ground leaving it open to the petitioners to avail the appeal remedy in accordance with law. Pending miscellaneous petitions, if any, shall also stand dismissed. No order as to costs.

SANJAY KUMAR, J

Date: 25.01.2017

N. BALAYOGI, J

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