

**THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM
AND
THE HON'BLE SRI JUSTICE G. SHYAM PRASAD**

WRIT PETITION No.1516 OF 2017

ORDER : (per Hon'ble Sri G.Shyam Prasad)

This writ petition is filed seeking direction by way of mandamus to declare the order dated 05.01.2017 in P.P.No.7 of 2016 in C.C.No.50 of 1996 on the file of District Consumer Redressal Forum, Warangal as illegal and arbitrary.

Heard.

Learned counsel for the petitioner submits that in the counter filed by the respondents in P.P.No.7 of 2017, in Para No.12 it was mentioned as below :

“The opposite party-bank in obedience of the Order of the Hon'ble Forum, though not prayed for shares of King Chemicals Ltd, (100 Shares of Rs.10/- each) and Intron Ltd, (200 Shares of Rs.15/- each) had deposited since available with it, leaving the shares already sold by exercising lien for due amount in loan account of the petitioner and which fact was categorically mentioned in the written version submitted in the CD and considered by the Hon'ble Forum. There is no intentional disobedience of the Order of the Hon'ble Forum by the opposite party inviting punitive action against it or its officials. As a prudent banker, the opposite party had diligently paid the compensation amount ordered with interest along with all the share certificates that were in the possession of the opposite party.”

Learned counsel for the petitioner submits that in obedience to the orders of the Consumer Forum, he had deposited some shares which were available with him, leaving the shares which are already sold by exercising lien over the shares.

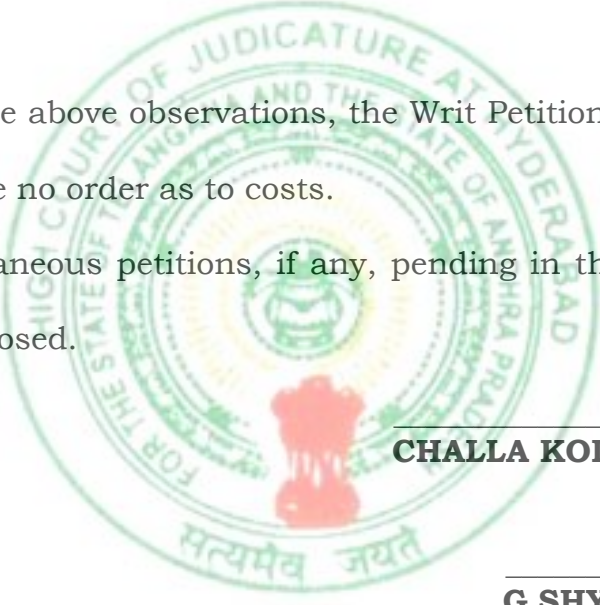
Against the impugned order an alternative remedy of Revision is available under Section 27 of the Consumer Protection

Act, 1986, the petitioner has to approach the State Consumer Redressal Forum and avail the said remedy.

Since the remedy of Revision is available to the petitioner, it is directed to approach the State Consumer Forum. The State Consumer Forum is on Vacation, as of now, petitioner is granted four weeks time to approach the State Consumer Forum for preferring Revision. Till then, there shall be stay of all further proceedings pursuant to the order dated 05.01.2017 in P.P.No.7 of 2016 in C.C.No.50 of 1996 on the file of District Consumer Disputes Redressal Forum, Warangal, including arrest of the petitioner.

With the above observations, the Writ Petition is disposed of. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.



CHALLA KODANDA RAM, J

G.SHYAM PRASAD, J

11th January, 2017
Rds/pab

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