

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

WRIT PETITION NO.7421 OF 2017

O R D E R

This writ petition is sought to be filed against the order dated 30.01.2017 passed by the Andhra Pradesh State Consumer Disputes Redressal Commission, Hyderabad, in F.A.I.A.No.1421 of 2016 in F.A. (SR) No.3137 of 2016. The said I.A. was filed by the petitioners herein under Section 5 of the Limitation Act, 1963 seeking condonation of the delay of 147 days in preferring an appeal against the order dated 20.05.2016 passed by the District Forum, West Godavari at Eluru, in C.C.No.22 of 2014. Perusal of the order reflects that the State Commission dismissed the I.A. on merits after giving due opportunity to the petitioners herein.

That being so, in the light of the law laid down by the Supreme Court in **OM PRAKASH SAINI V/s. DCM LIMITED¹, NIVEDITA SHARMA V/s. CELLULAR OPERATORS ASSOCIATION OF INDIA², CICILY KALLARACKAL V/s. VEHICLE FACTORY³, IVRCL ASSETS & HOLDINGS LIMITED V/s. A.P.STATE CONSUMER DISPUTES REDRESSAL COMMISSION⁴** and **M/S. ANUTEJA CONSTRUCTIONS V/s. APSCDRC, HYDERABAD⁵**, this Court would have no jurisdiction to entertain this writ petition as the petitioners are afforded an effective statutory remedy of appeal/revision before the National Commission. On this short ground, this writ petition is dismissed.

¹ (2010) 11 SCC 622

² (2011) 14 SCC 337

³ (2012) 8 SCC 524

⁴ ORDER DATED 20.02.2014 IN W.P.NO.29434 OF 2013

⁵ 2016 (6) ALT 90 (D.B.)

This order shall however not preclude the petitioners from invoking appropriate remedies available to them in accordance with law.

Pending miscellaneous petitions, if any, shall also stand dismissed. No order as to costs.

SANJAY KUMAR, J

N.BALAYOGI, J

10th APRIL, 2017

Svv/IBL

