

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

WRIT PETITION Nos. 4793, 4834, 4859, 4878, 4881
and 4919 of 2017

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

These writ petitions arise out of the common order dated 15.12.2016 passed by the State Consumer Disputes Redressal Commission of Telangana at Hyderabad dismissing the applications filed by the petitioners herein seeking condonation of delay in appealing against the individual orders dated 28.01.2015 passed by the District Consumer Forum, Karimnagar, in various consumer complaints.

Sri P.R. Prasad, learned counsel appearing for the first respondent in each of these writ petitions, the complainants in the consumer complaints, raised a preliminary issue as to the maintainability of the writ petitions.

Having considered the decisions of the Supreme Court in *Nivedita Sharma v. Cellular Operators Association of India*¹, and *Cicily Kallarackal v. Vehicle Factory*² and the decision of a Division Bench of this Court in *A.P. Cooperative Housing Societies Federation Limited, Hyderabad v. A.P. State Consumer Disputes Redressal Commission, Hyderabad*³, we find merit in the contention urged by the learned counsel.

The aforestated decisions make it clear that insofar as the Consumer Protection Act, 1986, is concerned, the statute is a complete code in itself providing for a hierarchy of remedies so as to obviate delay in the process of consumer complaints. As against the orders passed by

¹ (2011) 4 SCC 337

² (2012) 8 SCC 524

³ 2015 (5) ALD 695 (DB)

the State Commission, the remedy provided to the aggrieved party is by way of appeal/revision to the National Commission.

In that view of the matter, we see no reason as to why these writ petitions should be entertained as the State Commission dealt with the condone delay applications of the petitioners on merits and if they are aggrieved thereby, they would necessarily have to take recourse to the effective statutory remedy provided to them.

The writ petitions are accordingly dismissed on this short ground. Pending miscellaneous petitions in these cases, if any, shall also stand dismissed. No order as to costs.

Date: 18.04.2017
va



SANJAY KUMAR, J

N. BALAYOGI, J