

The Hon'ble Sri Justice C.V.Nagarjuna Reddy

and

The Hon'ble Sri Justice Gudiseva Shyam Prasad

**W.P.Nos.6061, 6783, 6787, 6788, 6789, 6791, 6792, 6794,
6798, 6799, 6800, 6818, 6825, 6828, 6843, 6849, 6857,
7060, 7061, 7063, 7064, 7066, 7067, 7068, 7070, 7072, 7073, 7113, 7115, 7134,
8479, 8480, 8481, 8482, 8483, 8484, 8491, 8492, 8496, 8497, 8498 and 8499 of 2013**

Date: 21.06.2018

WP.No.6061 of 2013

Between:

Proprietor Sree Vijaya Lakshmi Agro Agencies
Islampur, Gangavathi, Koppal District,
Karnataka State and another

... Petitioners

and

Desineni Koteswara Rao and 4 others

...Respondents

Counsel for the Petitioners: Mr.N.Subba Rao

Counsel for respondent No.1: Mr.M.Chalapathi Rao

Counsel for respondent Nos.2 & 3: None appeared

Counsel for respondent Nos.4 & 5: AGP for Civil Supplies

The Court made the following:

Common Order: (Per the Hon'ble Sri Justice C.V.Nagarjuna Reddy)

This batch of Writ Petitions arises out of Common Order, dated 01-02-2013, in FAIA.No.2721 of 2011 in FA (SR) No.5500 of 2010 and batch, on the file of respondent No.4- The State Consumer Disputes Redressal Commission at Hyderabad.

While the petitioners are common in all these Writ Petitions, the respondents vary from case to case. The grievance of the petitioners, raised in these Writ Petitions, is that respondent No.4 has declined to condone the delay in filing as well as in representation of the Appeals against Common Order, dated 23.12.2009, in CC.Nos.189 of 2009 and batch on the file of respondent No.5- The District Consumer Forum, Guntur.

After elaborate hearing of the case, when a suggestion has fallen from the Bench that, in order to give the petitioners an opportunity of pursuing the Appeals on merits, they may be put to reasonable terms as a condition for allowing the Writ Petitions, Mr.M.Chalapathi Rao, learned Counsel for the respondents, submitted that he has no objection, if the petitioners pay costs of Rs.5,000/- in each case.

Mr.N.Subba Rao, learned Counsel for the petitioners, has fairly agreed for this proposal. He has further submitted that he will take out Demand Drafts for Rs.5,000/- in each case in favour

of the claimants before respondent No.5, who are shown as respondent No.1 in each of these Writ Petitions and hand over the same to the learned Counsel for respondent No.1- Claimants.

In view of the mutual understanding arrived at between the learned Counsel for the respective parties as above, Common Order, dated 01-02-2013, in FAIA.No.2721 of 2011 in FA (SR) No.5500 of 2010 and batch, on the file of respondent No.4, is set aside. The delay occurred in filing and also in representation of the Appeals, against Common Order, dated 23-12-2009, in CC.No.189 of 2009 and batch, is condoned. On proof of payment of costs of Rs.5,000/- to respondent No.1- claimants in each of the Appeals, within a period of one month, respondent No.4 shall number the Appeals and dispose of the same on merits after hearing both the parties.

Subject to the above terms, this batch of Writ Petitions is allowed.

As a sequel, Miscellaneous Petitions, pending if any, stand disposed of as infructuous.

(C.V.Nagarjuna Reddy, J)

(Gudiseva Shyam Prasad, J)

Dt: 21st June, 2018
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