

HON' BLE SRI JUSTICE SURESH KUMAR KAIT

&

HON' BLE SMT JUSTICE T. RAJANI

W.P. No. 7346 of 2018

ORDER:- (ORAL)

(Per Hon' ble Sri Justice Suresh Kumar Kait)

Nobody has appeared on behalf of the petitioners.

The learned Government Pleader for Civil Supplies (A.P) appearing on behalf of the 1st respondent contends that against the Docket Order dated 02.01.2018 in FAIA No. 949 of 2017 in FASR No. 2516 of 2017 passed by the A.P. State Consumer Disputes Redressal Commission, Hyderabad, an appeal lies to the National Consumer Commission as per the provision contemplated under Section 21 of the Consumer Protection Act, 1986. To buttress his contention, he has relied upon decisions rendered by the Supreme Court in Nivedita Sharma v. Cellular Operators Assn. of India¹ and Cicily Kallarackal v. Vehicle Factory².

We find force in the contention of the learned Government Pleader.

In view of the submission made by the learned Government Pleader, this writ petition is dismissed granting liberty to the petitioners to avail statutory remedy of appeal before the National Consumer Commission. The interim stay

¹ (2011) 14 Supreme Court Cases 337

² IV (2012) CPJ 1 (SC)

granted by this Court on 02.04.2018 shall stand dissolved. No order as to costs.

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

SURESH KUMAR KAIT, J

30.04.2018

T. RAJANI, J

bcj

