

THE HON'BLE SRI JUSTICE T.AMARNATH GOUD

WRIT PETITION NO.11114 OF 2007

ORDER:

It is the case of the petitioners that the second respondent filed Consumer Dispute No.173 of 2002 against the petitioners herein under Section 12 of the Consumer Protection Act on the file of the first respondent. The first respondent, by order dated 22.04.2003, passed an ex parte order against the petitioners. The petitioners herein filed an application in IA.SR.No.14 of 2006 in C.D.No.173 of 2002 before the first respondent seeking to set aside the ex parte order. When the first respondent refused the application of the petitioners, they filed the present writ petition.

2. Sri C.Ramachandra Raju, learned counsel for the petitioners, submitted that the first respondent, without issuing any notice, has passed the ex parte order against the petitioners and requested this Court to direct the first respondent to entertain the application of the petitioners in IA.SR.No.14 of 2006 and to dispose of the same on merits.

3. Sri B.P.Raju, learned counsel for the second respondent, contended that the present writ petition is not maintainable and the petitioners have to approach the National Consumer Disputes Redressal Commission.

4. Without going into the merits of the case, this writ petition is disposed of directing the first respondent to consider the application of the petitioners in IA.SR.No.14 of 2006 in C.D.No.173

of 2002 and to dispose of the same on merits, as expeditiously as possible. Till such time, no coercive steps shall be taken against the petitioners. No costs. As a sequel, miscellaneous petitions pending, if any, shall stand closed.

T.AMARNATH GOUD, J

Date: 19-02-2018
TJMR

