

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY
AND
THE HON'BLE SRI JUSTICE GUDISEVA SHYAM PRASAD
W.P.Nos.12644 and 12648 of 2018
Date: 29.06.2018

W.P.No.12644 of 2018

Between:

M/s.Bharat Petroleum Corporation Ltd.,
rep. by its Authorized Signatory,
Bharat Bhavan, No.4&8, Currimbhoy Road,
Ballard Estate, P.B.No.588, Mumbai
and two others

... Petitioners

And

Gummadi Vidyasagar Rao, S/o.Lingaiah,
Aged about 51 years, Occ: Employee,
R/o.H.No.2-87/2, Seetharampur,
Karimnagar district, Telangana State
and another

... Respondents

W.P.No.12648 of 2018

Between:

M/s.Bharat Petroleum Corporation Ltd.,
rep. by its Authorized Signatory,
Bharat Bhavan, No.4&8, Currimbhoy Road,
Ballard Estate, P.B.No.588, Mumbai
and two others

... Petitioners

And

LPG Consumer Welfare Association,
Karimnagar, 10-4-98/2, Vavilalapalli,
Karimnagar, through its President
Ummenthala Srinivas Reddy,
S/o.Adi Reddy, Occ: Agriculture,
R/o.10-4-98/2, Vavilalapalli,
Karimnagar and another

... Respondents

Counsel for the Petitioners : Mr.P.Venugopal, Senior Counsel
for Mr.B.Mayur Reddy

Counsel for the Respondents: Mr.S.Srinivasa Reddy for R1

The Court made the following:

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

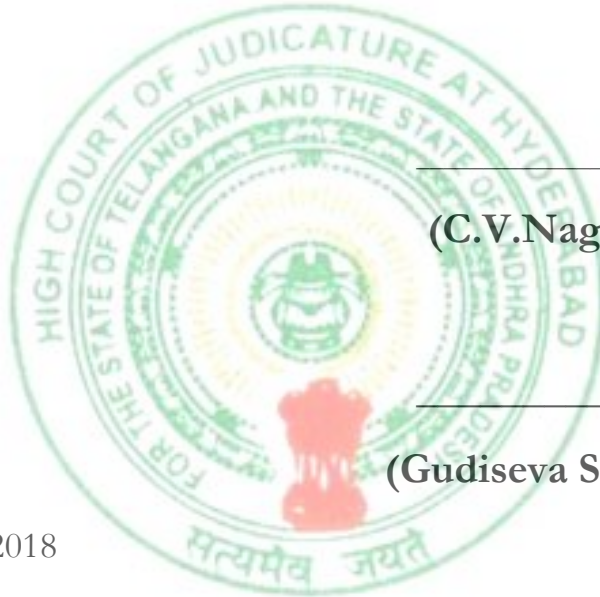
These two writ petitions arise out of separate but identical orders. They are filed by the respondents in Consumer Complaint No.66-117 of 2018 and Consumer Complaint No.129 of 2018 respectively, feeling aggrieved by orders dated 07.02.2018 and 16.02.2018 in I.A.Nos.30-127 of 2018 and 133 of 2018 respectively.

2. By the aforementioned orders, the District Consumer Disputes Redressal Forum, Karimnagar (for short 'the Forum'), allowed the I.As. filed for directing the petitioners, not to transfer consumer connections of respondent No.1 to any other distributor.

3. Mr.P.Venugopal, learned Senior Counsel for the petitioners advanced several contentions for invalidating the impugned order. However, the necessity of deciding the issues on merits is obviated, for the reason that the impugned orders were suspended by this court pending these writ petitions and that, as a result thereof, the petitioners have effected transfers, impugned in the consumer complaints. Though *prima facie* we feel that the orders of the Forum are far too in excess of its jurisdiction, as the interlocutory applications have been rendered infructuous with the transfer of the consumers to different dealers by the petitioners, we refrain from rendering conclusive findings on the validity or otherwise of the impugned orders. While declaring that the I.As. filed before the

Forum have become infructuous and the impugned orders have been rendered ineffective, the writ petitions are disposed of, with liberty to the petitioners to raise all legally permissible objections to the consumer complaints filed by respondent No.1 in both these cases. The Forum shall decide the consumer complaints on their own merits, after hearing all the parties.

4. As a sequel to the disposal of the writ petition, all the miscellaneous applications are disposed of as infructuous.



(C.V.Nagarjuna Reddy, J)

(Gudiseva Shyam Prasad,J)

Date: 29th June, 2018

msb

