

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

and

The Hon'ble Sri Justice Gudiseva Shyam Prasad

Writ Petition No.27254 of 2013

Date: 21.06.2018

Between:

Godavarthi Bhaskar Rao

... Petitioner

and

M/s.Kotak Mahendra Bank Ltd.,
Vijayawada and another

...Respondents

Counsel for the Petitioner:

**Mr.KSS.Harsha
for Mr.KV.Bhanu Prasad**

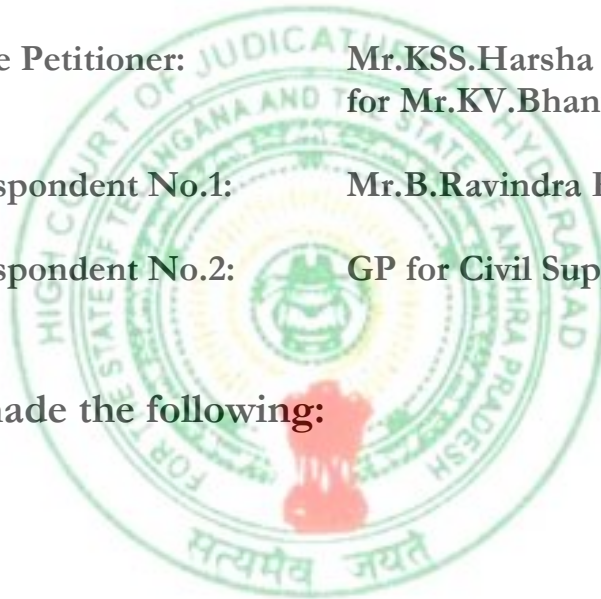
Counsel for respondent No.1:

Mr.B.Ravindra Reddy

Counsel for respondent No.2:

GP for Civil Supplies

The Court made the following:



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

This Writ Petition is filed assailing final order, dated 17.10.2012, in FA.No.819 of 2011 on the file of respondent No.2- Andhra Pradesh State Consumer Disputes Redressal Commission at Hyderabad.

This is a case where the Consumer Dispute raised by the petitioner before the District Consumer Forum-II, Vijayawada, Krishna District, *vide* CC.No.261 of 2010 was dismissed on 30.08.2011 and the said Order was confirmed by respondent No.2 by the order under challenge.

Under Section 21(b) of the Consumer Protection Act, 1986 (for short 'the Act'), the National Commission is vested with the jurisdiction to call for the records and pass appropriate orders in any consumer dispute, which is pending before or has been decided by any State Commission where it appears to the National Commission that such State Commission has exercised a jurisdiction not vested in it by law, or has failed to exercise a jurisdiction so vested, or has acted in the exercise of its jurisdiction illegally or with material irregularity.

It is, thus, clear from the scheme of the Act that hierarchical remedies are provided to a consumer. The petitioner is, therefore, entitled to approach the National Consumer Disputes Redressal Commission on the limited grounds envisaged in Section 21(b) of the Act. Such being the case, we do not find any reason whatsoever for the petitioner to invoke the extraordinary original jurisdiction of this Court for issuing a Certiorari to quash the order of respondent No.2.

Hence, without adjudicating the Writ Petition on merits, the same is dismissed, however, with liberty to the petitioner to avail the remedies available to him under the Act.

As a sequel to dismissal of the Writ Petition, WPMP.No.33763 of 2013, filed by the petitioner for interim relief, is disposed of as infructuous.

(C.V.Nagarjuna Reddy, J)

(Gudiseva Shyam Prasad, J)

Dt: 21st June, 2018
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