

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

and

The Hon'ble Sri Justice Gudiseva Shyam Prasad

Writ Petition No.28247 of 2008

Date: 09.08.2018

Between:

The Senior Superintendent of Post Offices,
Hyderabad City Division, Hyderabad

..Petitioner

and

D.Janardhan and 2 others

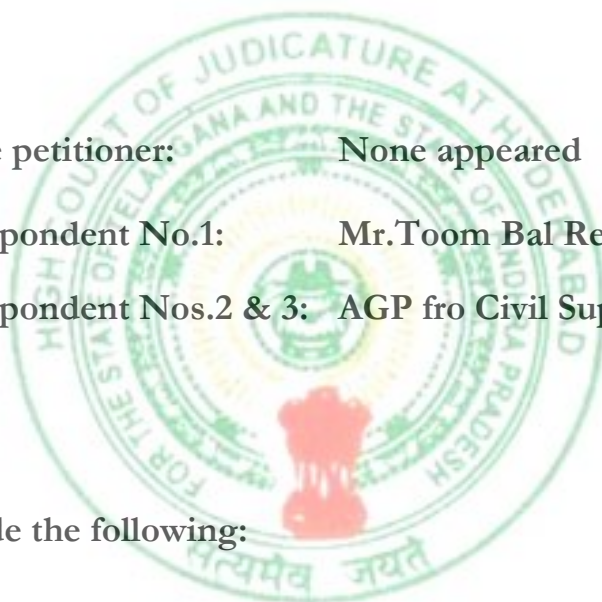
..Respondents

Counsel for the petitioner: None appeared

Counsel for respondent No.1: Mr.Toom Bal Reddy

Counsel for respondent Nos.2 & 3: AGP fro Civil Supplies

The Court made the following:



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

This Writ Petition is filed for the following substantive relief:

“to issue an order or direction more particularly in the nature of writ of Certiorari call for the records with regard to the order dated 5.8.2008 in FA.No.736 of 2007 of the Hon'ble AP State Consumer Disputes Redressal Commission, Hyderabad and order dated 30.4.2007 in CC.No.23 of 2007 of the Hon'ble District Consumer Forum-II, Hyderabad and quash the same as illegal, arbitrary, contrary to law and unconstitutional.”

At the hearing, there is no representation for the petitioner.

A perusal of the record shows that respondent No.1 has filed CC.No.23 of 2007 on the file of respondent No.3- District Consumer Disputes Redressal Forum-II, Hyderabad, to direct the petitioner to clear off the loan amount of Rs.20,000/- under PLI policy bearing No.AP 44314-UC and to issue receipts for the same to respondent No.1; to pay a sum of Rs.2,000/- towards mental agony and inconvenience caused to him; and also to pay a sum of Rs.3,000/- towards legal expenses. The petitioner contested the said case. On considering the rival pleadings of the parties, respondent No.3 held that the petitioner is liable to clear off the loan amount of Rs.20,000/- under PLI Policy. It has also awarded a sum of Rs.5,000/- towards compensation and Rs.1,000/- towards costs of the complaint. The Appeal bearing FA.No.736 of 2007

filed by the petitioner was partly allowed by setting aside the award of compensation to the extent of Rs.5,000/- while confirming the remaining part thereof. Though the petitioner had a remedy of revision before the National Consumer Disputes Redressal Commission under Section 21(b) of the Consumer Protection Act, 1956, he has, however, chosen to file the present Writ Petition.

As noted herein before, no one represented the petitioner. On considering the reasons assigned by both the *Fora* below, we are of the opinion that they do not suffer from any error warranting interference of this Court in exercise of its extraordinary jurisdiction under Article 226 of the Constitution of India.

The Writ Petition is, accordingly, dismissed.

As a sequel to dismissal of the Writ Petition, interim order dated 26-12-2008, as extended on 04-06-2009, is vacated and WPMP.No.37024 of 2008 is disposed of as infructuous.

(C.V.Nagarjuna Reddy, J)

(Gudiseva Shyam Prasad, J)

Dt: 9th August, 2018
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