

HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY
AND
HON'BLE SRI JUSTICE GUDISEVA SHYAM PRASAD

WP.No.9975 of 2014

Date:02.08.2018

Between.

Godavarthi Bhaskar Rao,
S/o Ramakoteswara Rao

.....Petitioner

And.

M/s Sundaran Finance Limited,
Guntur, reptd by its Branch
Manager and two others.

.....Respondents

Counsel for the petitioner: Mr. K.V.Bhanu Prasad

Counsel for respondent Nos.1 & 2: None appeared

Counsel for respondent No.3: AGP for Civil Supplies (TS)

The Court made the following:

ORDER: (*per Hon'ble Sri Justice C.V.Nagarjuna Reddy*)

This Writ Petition is filed assailing final order, dated 16.7.2013, in FA.No.438 of 2012 on the file of respondent No.3- 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, Guntur, vide CC.No.200 of 2010 was dismissed on 30.08.2011 and the said Order was confirmed by respondent No.3 by the order under challenge.

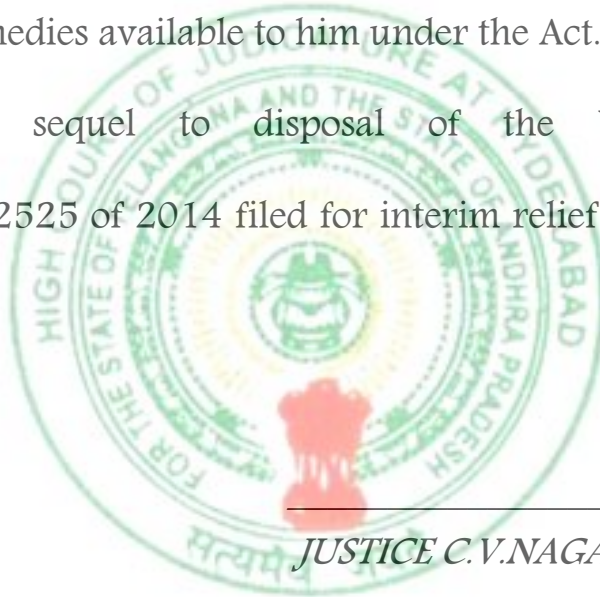
Under Section 21(b) of the Consumer Protection Act, 1986 (for short 'the Act'), the National Commission is vested with the jurisdiction to call for the records and pass appropriate orders in any consumer dispute, which is pending before or has been decided by any State Commission where it appears to 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 Writ of *Certiorari* to quash the order of respondent No.3.

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 disposal of the Writ Petition, WPMP.No.12525 of 2014 filed for interim relief is dismissed as infructuous.



JUSTICE C.V.NAGARJUNA REDDY

JUSTICE GUDISEVA SHYAM PRASAD

02nd August, 2018

DR