

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

**and**

**The Hon'ble Sri Justice Gudiseva Shyam Prasad**

**Writ Petition No.29068 of 2018**

**Date: 16.08.2018**

**Between:**

K.Sudheer Babu and another

**..Petitioners**

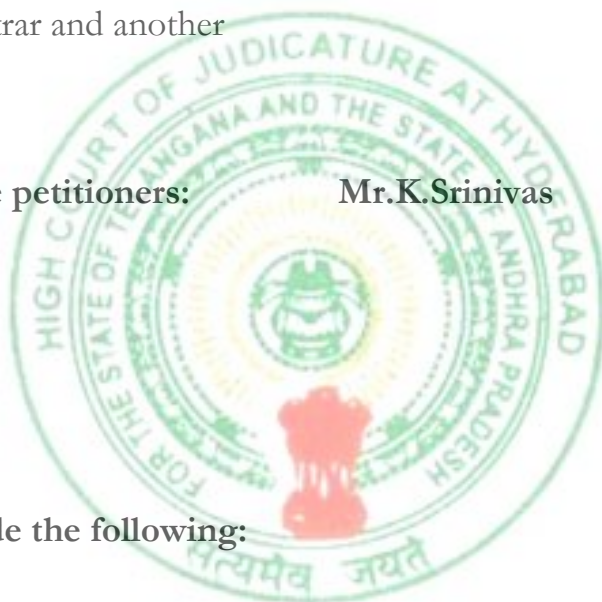
**and**

The District Consumer Forum  
Guntur District,  
rep. by its Registrar and another

**..Respondents**

**Counsel for the petitioners:**

**Mr.K.Srinivas**



**The Court made the following:**

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

This Writ Petition is filed for a Mandamus to set aside Order, dated 12-07-2018, in CC.No.62 of 2018 on the file of respondent No.1- District Consumer Disputes Redressal Forum, Guntur, whereby it has dismissed the said complaint filed by the petitioners on the ground of improper prosecution.

In our opinion, the petitioners have availed an inappropriate remedy. As against the impugned order, they have the statutory remedy of Appeal under Section 15 of the Consumer Protection Act, 1986. As the remedy of Appeal is an effective alternative remedy, we do not find any reason for the petitioners to bypass the said remedy and invoke the extraordinary jurisdiction of this Court under Article 226 of the Constitution of India

Hence, the Writ Petition is dismissed with liberty to the petitioners to avail the alternative remedy in terms of the observations made herein before.

As a sequel to dismissal of the Writ Petition, IA.No.1 of 2018, filed by the petitioners for interim relief, is disposed of as infructuous.

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(C.V.Nagarjuna Reddy, J)

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(Gudiseva Shyam Prasad, J)

Dt: 16<sup>th</sup> August, 2018  
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