

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

W.P.No.33117 of 2018

Date: 14.09.2018

Between:

The Prohibition & Excise Superintendent,
Housing Board Complex,
Circuit House Road,
Hanamakonda, Warangal district
and another

...

Petitioners

And

Telangana State Consumer Disputes
Redressal Commission at
Hyderabad and two others

...

Respondents

Counsel for the Petitioners : G.P. for Prohibition & Excise

Counsel for the Respondents: A.G.P. for Civil Supplies for
R1 and 2

The Court made the following:

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

This writ petition is filed for issue of certiorari, to quash order dated 22.01.2014 in C.C.No.100 of 2012 on the file of respondent No.2 – Forum, as confirmed by order dated 28.03.2017 in F.A.No.529 of 2014 by respondent No.1.

2. From a perusal of the record, it is evident that respondent No.1 has passed an order as far back as 28.03.2017. The petitioner failed to offer any explanation whatsoever, for not approaching this court for 1 ½ years after passing of the said order. Therefore, the writ petition is liable to be dismissed only on the ground of laches, without embarking on the merits of the case. Even otherwise, the petitioner has an effective alternative remedy under Section 21 (b) of the Consumer Protection Act, 1986 (for short 'the Act'). A Division Bench of this Court in **A.P. CO-OP HOUSING SOCIETIES FEDERATION LTD., HYDERABAD VS. A.P. STATE CONSUMER DISPUTES REDRESSAL COMMISSION, HYDERABAD AND OTHERS**¹, held that the remedy of revision under Section 21 (b) of the Act is an effective alternative remedy. The petitioner has not made out any ground to treat this case as an exception to the doctrine of alternative remedy.

¹ 2015 (5) ALD 695 (DB)

3. For both the above mentioned reasons, the writ petition is liable to be dismissed and is, accordingly, dismissed.

(C.V.Nagarjuna Reddy, J)

(Gudiseva Shyam Prasad,J)

Date: 14th September, 2018

msb



