

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

AND

THE HON'BLE SRI JUSTICE T.AMARNATH GOUD

Writ Petition No.42720 of 2018

Date: 27.11.2018

Between:

M/s Pragati Green Meadows & Resorts Ltd.,
rep. by its Chairman G.Bala Koteswara Rao
Office at Plot No.1355A, 3rd floor,
Road No.45, above HDFC Bank,
Jubilee Hills, Hyderabad-33
and three others.

Petitioners

And

M.Karthik Reddy,
S/o Devender Reddy,
R/o.#2-2-18/46, B-21,
Mithila Enclave, 204,
D.D. Colony, Bagh Amberpet,
Hyderabad,
rep. by his father & GPA holder
M.Devender Reddy,
S/o.Late M.Papi Reddy,
Retd. Government Employee,
R/o.#2-2-18/46, B-21,
Mithila Enclave, 204,
D.D. Colony, Bagh Amberpet,
Hyderabad,
and another.

... Respondents

Counsel for the Petitioners: Mr. B.Siva Kesava Reddy

Counsel for respondent No.2: GP for Civil Supplies (TS)

The Court made the following:

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

This writ petition is filed for issue of *Mandamus* to set aside order, dated 25.09.2018, whereby respondent No.2 has dismissed F.A.No.38 of 2015 for non-prosecution.

2. At the hearing, Mr.B.Siva Kesava Reddy, the learned counsel for the petitioners, has not disputed that against the impugned order, his clients have a remedy of Revision to the National Consumer Disputes Redressal Commission under Section 21(b) of the Consumer Protection Act, 1986, which was held to be an effective alternative remedy. (See **A.P. Co-Op. Housing Societies Federation Ltd., Hyderabad Vs. A.P. State Consumer Disputes Redressal Commission, Hyderabad and others¹**).

3. In the light of the above, we are not inclined to entertain this writ petition for adjudication on merits. Accordingly, without expressing our opinion on the legality or otherwise of the impugned order, the writ petition is dismissed with liberty to the petitioners as observed hereinbefore.

4. As a sequel to dismissal of the writ petition, I.A.No.1 of 2018 is dismissed as infructuous.

C.V.NAGARJUNA REDDY, J

T.AMARNATH GOUD, J

Date: 27th November, 2018

msb

¹ 2015 (5) ALD 695 (DB)

