

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO. 5765/2019

Authorized Officer & anr.

..VS..

State & anr.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri R.H. Chandurkar, Advocate for the petitioner(s)
Shri N.R. Patil, AGP for the respondent/State

CORAM : Z.A.HAQ, J.
DATED : 19/08/2019

The complainant who was respondent before the State Consumer Disputes Redressal Commission is not impleaded as party in this petition.

The learned advocate for the petitioners states that the appeal came to be dismissed before notice of the appeal was issued to the respondent (original complainant) in that appeal. In my view, though the appeal is dismissed before notice of the appeal came to be issued to the respondent (complainant) in that appeal, he is necessary party in this petition as substantive right is created in favour of the complainant because of dismissal of the appeal in default.

As necessary party is not impleaded, the petition is **dismissed** with liberty to the petitioners to file proper petition, if so advised. No costs.

JUDGE