

THE HONOURABLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION NO.4090 OF 2019

O R D E R

The grievance of the petitioners is with regard to the Award dated 29.08.2018 passed by the Deputy Registrar of Chits/Arbitrator, Office of the District Registrar of Chits (South), Hyderabad.

Section 70 of the Chit Funds Act, 1982, provides the petitioners with the efficacious remedy of an appeal if they are aggrieved by the aforestated Award. As long back as in the year 1985, in ASSISTANT COLLECTOR OF CENTRAL EXCISE V/ s. DUNLOP INDIA LTD.¹, the Supreme Court observed as follows:

‘....It is only where statutory remedies are entirely ill-suited to meet the demands of extraordinary situations, as for instance where the very vires of the statute is in question or where private or public wrongs are so inextricably mixed up and the prevention of public injury and the vindication of public justice require it that recourse may be had to Article 226 of the Constitution. But then the Court must have good and sufficient reason to bypass the alternative remedy provided by statute. Surely matters involving the revenue where statutory remedies are available are not such matters....’

In the light of the aforestated binding edict and given the irrefutable fact that the petitioners are provided an efficacious statutory remedy, this Court is not inclined to entertain this writ petition. No exceptional grounds are made out warranting exercise of writ jurisdiction.

The writ petition is accordingly dismissed leaving it open to the petitioners to take recourse to the statutory appellate remedy available to them in accordance with the due procedure.

Pending miscellaneous petitions shall also stand dismissed. No order as to costs.

SANJAY KUMAR, J

1st MARCH, 2019

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¹ (1985) 1 SCC 260