

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

206

CWP No.31341 of 2018 (O&M)
DATE OF DECISION : 24th AUGUST, 2022

Sanjeev Garg

.... Petitioner

Versus

Din Dyal Singh Bedi (deceased through LRs) & Ors

.... Respondents

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

* * * *

Present : Mr. Akshay Bhan, Senior Advocate with
Mr. Jahan Dhaliwal, Advocate for the petitioner.

Mr. Jagtar Kureel, Advocate for respondents No.1(a) to (c).

Ms. Irvaneet Kaur, Advocate for
Mr. Anil Mehta, Additional Govt. Pleader
for respondent No.2-UT Chandigarh.

None for respondent No.3.

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RAJBIR SEHRAWAT, J. (Oral)

The petitioner has filed this petition under Articles 226/227 of the Constitution of India, for issuance of a writ in the nature of certiorari for quashing of order dated 29.10.2018 (Annexure P-18) whereby the petitioner has been coerced to satisfy a decree of ₹11,05,350/- by keeping him in custody notwithstanding that no proceedings under the Consumer Protection Act, 1986 had been initiated against him for recovery; along with certain other prayers.

It is not even in dispute that any order passed by the District Consumer Forum is appealable under Section 27A of the Consumer Protection Act, 1986. In view of the efficacious and alternate statutory

remedy available to the petitioner, this court does not deem it appropriate to continue with the present petition any more, rather the petitioner deserves to be granted an opportunity to file statutory appeal.

Accordingly, the present petition is dismissed. However, the petitioner would be at liberty to file his statutory appeal. If the petitioner files his statutory appeal within a period of two weeks from today, then the same shall be taken to have been filed within time and the respondents-shall not be entitled to oppose the appeal on the ground of limitation. Still further, since this court had granted and continued the interim order of a particular kind, therefore, the interim protection granted by this court vide order dated 11.03.2019 shall also continue for two weeks from today. However, these directions, being issued by this court, shall not be taken either in favour or against either of the parties to the dispute. The appeal, if so filed by the petitioner, shall be considered by the appellate authority independently; without being affected by any order passed during pendency of the present petition.

24th AUGUST, 2022
'raj'

(RAJBIR SEHRAWAT)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>	<i>No</i>
<i>Whether Reportable:</i>	<i>Yes</i>	<i>No</i>