

Court No. - 34

Case :- WRIT - C No. - 35799 of 2015

Petitioner :- C/M District Cooperative Bank Limited Thru' Its Chairman

Respondent :- District Consumer Disputer Redressal Forum & 3 Others

Counsel for Petitioner :- Sujeet Kumar Rai

Counsel for Respondent :- S.C.

Hon'ble Sudhir Agarwal,J.

Hon'ble Ajit Kumar,J.

1. Heard Sri Sujeet Kumar Rai, learned counsel for petitioner and learned Standing Counsel for State respondents.
2. This writ petition is filed against order dated 20.05.2017 passed by District Consumer Dispute Redressal Forum, Mainpuri. Learned counsel for petitioner contended that petitioner has no role in the matter and therefore District Consumer Forum has no jurisdiction to pass award against petitioner.
3. The question whether petitioner has any direct role in the matter or not, is a disputed question of fact which cannot be decided in writ jurisdiction. Except taking a brief stand of denial in written statement filed by respondents before District Consumer Forum, nothing was placed to substantiate their stand. Moreover as a matter of fact, petitioner has a statutory alternative remedy of appeal before State Redressal Commission under Section 15 of Consumer Protection Act, 1986.
4. We, therefore, decline to interfere in this matter on the ground of availability of alternative remedy to petitioner.
5. Writ petition is accordingly dismissed.

Order Date :- 29.11.2017

S. Thakur