

C. Krishnakumary Vs. the Asst. Engineer, Kseb, Electrical Major Section, Paravoor and Another

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Court : Kerala State Consumer Disputes Redressal Commission SCDRC
Thiruvananthapuram

Decided On : Apr-20-2010

Judge : The Honourable Shri. Justice K.R. Udayabhanu President & the
Honourable Shri. M.K. Abdulla Sona Member

Appeal No. : First Appeal No. A/10/166 (Arisen out of order dated 23/01/2010 in
Case No. CC 127/07 of District Kollam)

Appellant : C. Krishnakumary

Respondent : The Asst. Engineer, Kseb, Electrical Major Section, Paravoor and
Another

Judgement :

JUSTICE SHRI.K.R.UDAYABHANU: PRESIDENT

The appellant is the complainant in CC:127/07 in the file of CDRF, Kollam. The complaint has been dismissed holding that the same is not maintainable as RR proceedings have already been initiated and that RR proceedings started meant that the sovereign functions began and hence the Forum has no jurisdiction.

2. We find that the finding of the Forum is incorrect. Sovereign functions and RR proceedings has no connection. It is the basis for initiating the RR proceedings

that has been questioned. Hence the finding of the Forum is set aside.

3. It is also seen that the entire evidence has been adduced that consisted of the testimony of PW1 to PW3, DW1, Ext.P1 and Ext.D1.

4. The Forum is directed to dispose of the case on merits.

5. The matter stands posted before the Forum on 28/5/2010.

The office is directed to forward a copy of this order to the Forum urgently.

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